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Bulletin 314

**Annual
Digest of STATE
and FEDERAL LABOR
LEGISLATION, 1967**

U.S. DEPARTMENT OF LABOR
WAGE AND LABOR STANDARDS
ADMINISTRATION

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**Annual
Digest of STATE
and FEDERAL LABOR
LEGISLATION, 1967**

U.S. DEPARTMENT OF LABOR
Secretary

WAGE AND LABOR STANDARDS ADMINISTRATION
Esther Peterson, Administrator
BUREAU OF LABOR STANDARDS

David A. Swankin, Director



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Foreword

THIS BULLETIN, the thirtieth issue in a series, covers State and Federal labor laws enacted in 1967. The digests have been prepared for informational and research purposes only, and should not be regarded as official summaries.

Digests of Federal acts were based on summaries prepared by the Solicitor's Office; and digests of women's laws on summaries prepared by the Women's Bureau of the Department.

This bulletin was prepared by Deborah T. Bond, Office of Employment Standards, Bureau of Labor Standards.

Contents

	Page		Page
INTRODUCTION	1	Migratory Workers	25
ALABAMA		Occupational Safety and Health	25
Industrial Relations	19	Older Workers	26
Workmen's Compensation	19	Private Employment Agencies	26
ALASKA		State Department of Labor	26
Industrial Relations	20	Training and Retraining	26
Occupational Safety and Health	20	Wage Payment and Wage Collection	27
Training and Retraining	20	Wages and Hours—All Workers	27
Veterans' Reemployment Rights	20	Workmen's Compensation	27
Wage Payment and Wage Collection	20	COLORADO	
Workmen's Compensation	20	Apprenticeship	27
ARIZONA		Hours of Work	27
Apprenticeship	21	Occupational Safety and Health	28
Workmen's Compensation	21	Private Employment Agencies	28
ARKANSAS		State Department of Labor	28
Debt Pooling	21	Training and Retraining	28
Occupational Safety and Health	21	Wage Payment and Wage Collection	28
State Department of Labor Wage Payment and Wage Collection	21	Workmen's Compensation	29
Wages—Wage Garnishment	22	CONNECTICUT	
Wages and Hours—All Workers	22	Debt Pooling	30
Miscellaneous	22	Discrimination in Employment	30
CALIFORNIA		Hours of Work	31
Agricultural Workers	22	Industrial Relations	31
Apprenticeship	23	Occupational Safety and Health	32
Child Labor and School Attendance	24	Older Workers	33
Discrimination in Employment	24	Wage Payment and Wage Collection	33
Hours of Work	24	Wages—Miscellaneous	34
Industrial Relations	25	Wages—Prevailing Wages	34
		Wages—Public Works	34
		Wages—Wage Garnishment	34

	Page		Page
Wages and Hours—		Workmen's Compensation	43
All Workers	34		
Workmen's Compensation	35	ILLINOIS	
DELAWARE		Apprenticeship	44
Wages and Hours—		Child Labor and School At-	
All Workers	36	tendance	44
FLORIDA		Discrimination in Employ-	
Child Labor and School At-		ment	45
tendance	36	Hours of Work	45
Industrial Relations	36	Industrial Relations	45
Occupational Safety and		Occupational Safety and	
Health	37	Health	46
Private Employment		Older Workers	47
Agencies	37	Private Employment	
Workmen's Compensation	37	Agencies	47
Miscellaneous	38	State Department of Labor	47
GEORGIA		Training and Retraining	48
Child Labor and School At-		Wages—Wage Garnishment	48
tendance	38	Wages—Prevailing Wages	48
Workmen's Compensation	38	Workmen's Compensation	48
HAWAII		Miscellaneous	49
Agricultural Workers	38	INDIANA	
Apprenticeship	39	Agricultural Workers	49
Child Labor and School At-		Child Labor and School At-	
tendance	39	tendance	49
Debt Pooling	39	Discrimination in Employ-	
Industrial Relations	39	ment	49
Occupational Safety and		Wages—Equal Pay	50
Health	40	Wages and Hours—	
Private Employment		All Workers	50
Agencies	40	Wages—Miscellaneous	50
State Department of Labor	40	Workmen's Compensation	50
Training and Retraining	40	IOWA	
Wage Payment and Wage		Child Labor and School At-	
Collection	40	tendance	51
Wages—Wage Garnishment	41	Debt Pooling	51
Wages—Prevailing Wages	41	Industrial Relations	51
Wages and Hours—		Migratory Workers	51
All Workers	41	Veterans' Reemployment	
Workmen's Compensation	41	Rights	51
Miscellaneous	42	Workmen's Compensation	51
IDAHO		KANSAS	
Discrimination in Employ-		Discrimination in Employ-	
ment	42	ment	52
Occupational Safety and		Occupational Safety and	
Health	42	Health	52
Wage Payment and Wage		Workmen's Compensation	52
Collection	43	LOUISIANA	
Wages and Hours—		Miscellaneous	52
All Workers	43		

	Page		Page
MAINE		Occupational Safety and Health	63
Child Labor and School Attendance	53	State Department of Labor	64
Industrial Relations	53	Workmen's Compensation	64
Occupational Safety and Health	53	MINNESOTA	
Wages—Wage Garnishment	53	Child Labor and School Attendance	65
Wages—Prevailing Wages	54	Discrimination in Employment	65
Wages and Hours—		Industrial Relations	65
All Workers	54	Occupational Safety and Health	66
Workmen's Compensation	55	Private Employment	
MARYLAND		Agencies	66
Child Labor and School Attendance	55	State Department of Labor	66
Hours of Work	56	Veterans' Reemployment	
Occupational Safety and Health	56	Rights	67
State Department of Labor	56	Wages—Assignment of	
Wage Payment and Wage Collection	56	Wages	67
Wages—Public Works	57	Workmen's Compensation	67
Wages and Hours—		MISSOURI	
All Workers	57	Hours of Work	68
Workmen's Compensation	57	Industrial Relations	68
MASSACHUSETTS		Occupational Safety and Health	69
Agricultural Workers	59	State Department of Labor	
Apprenticeship	60	Workmen's Compensation	69
Child Labor and School Attendance	60	MONTANA	
Discrimination in Employment	60	Industrial Relations	70
Emergency Relaxations	60	Occupational Safety and Health	70
Hours of Work	60	Wage Payment and Wage Collection	71
Industrial Relations	60	Workmen's Compensation	71
Migratory Workers	61	NEBRASKA	
Occupational Safety and Health	61	Child Labor and School Attendance	72
Older Workers	61	Debt Pooling	72
Private Employment		Discrimination in Employment	72
Agencies	62	Hours of Work	73
State Department of Labor	62	Industrial Relations	73
Wages—Prevailing Wages	62	Wages—Equal Pay	74
Wages and Hours—		Wages and Hours—	
All Workers	62	All Workers	74
Workmen's Compensation	62	Workmen's Compensation	74
Miscellaneous	63	NEVADA	
MICHIGAN		Discrimination in Employment	75
Agricultural Workers	63		
Child Labor and School Attendance	63		
Hours of Work	63		

	Page		Page
Occupational Safety and Health	75	Child Labor and School Attendance	86
State Department of Labor	76	Discrimination in Employment	86
Wages—Equal Pay	76	Hours of Work	86
Wages and Hours—		Industrial Relations	87
All Workers	76	Migratory Workers	88
Workmen's Compensation	76	Occupational Safety and Health	88
Miscellaneous	77	Private Employment	
NEW HAMPSHIRE		Agencies	88
Child Labor and School Attendance	77	Training and Retraining	88
Hours of Work	77	Wage Payment and Wage Collection	89
Industrial Relations	77	Wages—Prevailing Wages	89
Occupational Safety and Health	77	Wages—Public Works	89
Wage Payment and Wage Collection	78	Wages and Hours—	
Wages—Wage Garnishment	78	All Workers	89
Wages and Hours—		Miscellaneous	89
All Workers	78		
Workmen's Compensation	79	NORTH CAROLINA	
NEW JERSEY		Child Labor and School Attendance	90
Child Labor and School Attendance	80	Hours of Work	90
Industrial Relations	80	Workmen's Compensation	90
Migratory Workers	80	Miscellaneous	91
Private Employment			
Agencies	81	NORTH DAKOTA	
State Department of Labor	81	Industrial Relations	91
Training and Retraining	81	Wage Payment and Wage Collection	91
Wages—Assignment of Wages	81	Workmen's Compensation	91
Wages and Hours—			
All Workers	81	OHIO	
Workmen's Compensation	82	Child Labor and School Attendance	92
Miscellaneous	82	Discrimination in Employment	93
NEW MEXICO		Industrial Relations	93
Agricultural Workers	83	Occupational Safety and Health	93
Child Labor and School Attendance	83	Wages—Prevailing Wages	93
Industrial Relations	83	Wages—Public Works	93
Migratory Workers	83	Wages—Wage Garnishment	93
Occupational Safety and Health	84	Workmen's Compensation	94
Wages and Hours—			
All Workers	84	OKLAHOMA	
Workmen's Compensation	85	Hours of Work	94
Miscellaneous	85	Private Employment	
NEW YORK		Agencies	94
Apprenticeship	86	State Department of Labor	95
		Wage Payment and Wage Collection	95

	Page		Page
Workmen's Compensation	95	SOUTH CAROLINA	
Miscellaneous	96	Apprenticeship	105
OREGON		Child Labor and School At-	
Agricultural Workers	96	tendance	106
Apprenticeship	96	Hours of Work	106
Child Labor and School At-		Occupational Safety and	
tendance	97	Health	106
Hours of Work	97	State Department of Labor	107
Migratory Workers	97	Wages—Wage Garnishment	107
Occupational Safety and		Workmen's Compensation	107
Health	97		
State Department of Labor	97	SOUTH DAKOTA	
Training and Retraining	97	Child Labor and School At-	
Wage Payment and Wage		tendance	107
Collection	98	Occupational Safety and	
Wages—Prevailing Wages	98	Health	107
Wages—Wage Garnishment	98	Workmen's Compensation	108
Wages and Hours—			
All Workers	98	TENNESSEE	
Workmen's Compensation	99	Discrimination in Employ-	
Miscellaneous	100	ment	108
PENNSYLVANIA		Occupational Safety and	
Agricultural Workers	101	Health	108
Child Labor and School At-		Wage Payment and Wage	
tendance	101	Collection	108
Discrimination in Employ-		Wages—Wage Garnishment	108
ment	101	Workmen's Compensation	109
Industrial Relations	101	Miscellaneous	109
Training and Retraining	101		
Wages and Hours—		TEXAS	
All Workers	101	Debt Pooling	109
Workmen's Compensation	102	Industrial Relations	109
		Occupational Safety and	
PUERTO RICO		Health	110
Hours of Work	103	State Department of Labor	110
Industrial Relations	103	Wages and Hours—	
Occupational Safety and		All Workers	110
Health	103	Workmen's Compensation	110
State Department of Labor	103		
Wage Payment and Wage		UTAH	
Collection	103	Child Labor and School At-	
Wages—Miscellaneous	104	tendance	111
Wages and Hours—		Occupational Safety and	
All Workers	104	Health	111
Workmen's Compensation	104	Wage Payment and Wage	
		Collection	111
RHODE ISLAND		Workmen's Compensation	111
Apprenticeship	104	Miscellaneous	112
Industrial Relations	104		
Occupational Safety and		VERMONT	
Health	105	Child Labor and School At-	
State Department of Labor	105	tendance	112
Wages and Hours—		Industrial Relations	112
All Workers	105		

	Page		Page
Occupational Safety and Health	113	Discrimination in Employment	119
State Department of Labor	113	Industrial Relations	119
Wages and Hours—		Migratory Workers	119
All Workers	114	Occupational Safety and Health	119
Workmen's Compensation	114	State Department of Labor	119
WASHINGTON		Training and Retraining	120
Debt Pooling	115	Wage Payment and Wage Collection	120
Industrial Relations	115	Wages—Prevailing Wages	120
Occupational Safety and Health	116	Wages and Hours—	
State Department of Labor	116	Women and Minors	120
Wage Payment and Wage Collection	116	Workmen's Compensation	121
Wages—Prevailing Wages	117	Miscellaneous	121
Wages—Public Works	117	WYOMING	
Wages and Hours—		Occupational Safety and Health	122
All Workers	117	Wage Payment and Wage Collection	122
Miscellaneous	117	Wages—Prevailing Wages	122
WEST VIRGINIA		Wages—Public Works	123
Discrimination in Employment	117	Wages and Hours—	
Workmen's Compensation	118	All Workers	123
WISCONSIN		Workmen's Compensation	123
Agricultural Workers	118	UNITED STATES	124
Apprenticeship	118	INDEX TO TOPICAL HEADINGS	133
Child Labor and School Attendance	118		

INTRODUCTION

ALL States and Puerto Rico held regular legislative sessions in 1967, with the exception of Kentucky, Mississippi, and Virginia. As in recent years, great interest was shown in almost all labor standards areas, as evidenced by the introduction of over 3,000 bills, of which over 700 were enacted into law.

Agricultural Workers.—Among laws affecting agricultural labor in general or the special problems of migratory workers, the most significant enactments were the extension of the New Mexico and Massachusetts minimum wage law to certain farm labor and the increase in rates for these workers in California¹ and Wisconsin. The Massachusetts law set escalated rates beginning at \$1.20 an hour, finally reaching \$1.50; and the New Mexico law did the same, setting rate to \$1.30 from \$1. February 1, 1969 is the effective date of the final step in both laws. California's rate is \$1.65, and Wisconsin's is \$1.25.

Two States set minimum ages for children employed in agriculture; Indiana a 10-year minimum for nonresidents during school hours, and Iowa a 10-year minimum outside school hours and 14 before and during school hours for work as interstate migratory agricultural laborers. Massachusetts amended its hazardous-occupations provision to make it possible for minors 16 and 17 to be employed in agricultural occupations as part of a vocational training program, and for those 14 and over to operate small home-gardening power equipment.

Pennsylvania extended coverage of its antidiscrimination law to agriculture. New Jersey abolished the quasi-public migrant board and transferred duties and functions relating to migratory labor to a new bureau in the labor department.

Wisconsin transferred from the health agency to the labor department responsibility for regulating migrant housing; Massachusetts and New Jersey required operators of housing facilities to obtain annual certificates; Oregon required operators of

¹ At press time, the California agriculture wage order is being challenged in the State court.

such facilities to notify the health department prior to their use (the State does not require licensing of these facilities); California extended indefinitely the enabling act authorizing the State to accept funds under the Federal Economic Opportunity Act for certain migratory farmworker programs. Among the studies authorized was one in Hawaii of the diversified agricultural industry, its labor situation, and the effect of overtime and wage increases on the industry.

Apprenticeship.—Laws were amended in Arizona to authorize the apprenticeship council to contract with Federal agencies to receive and disburse Federal funds; in California to establish advanced programs for barbers, to require collection of data on ethnic groups participating in programs, and to require the apprenticeship council's regulations to include equal employment provisions. Massachusetts extended the provisions of the prevailing wage law to apprentices on public works. Oregon broadened the scope of its law to include training programs in non-apprenticeable trades or crafts. Rhode Island replaced its executive order by a law providing substantially the same duties for the council as under the executive order. South Carolina enacted a voluntary apprenticeship law, creating a division within the labor department to administer the law.

Child Labor and School Attendance.—Four States enacted laws dealing with the minimum age for the employment of children. Nebraska deleted the requirement setting a 14-year minimum and specifically permitted minors under 14 to be employed in schoolwork programs under certain conditions. Florida reduced from 18 to 17 the age for employment in a retail or food service establishment where alcoholic beverages are sold, but retained the 21-year minimum for handling such beverages. Illinois exempted from all provisions of the law minors 13 years of age employed outside school hours as golf caddies. Massachusetts permitted in-school youth 14 and 15 to do volunteer work in nonprofit hospitals, but not after 6 p.m. Hawaii extended the time for the labor commissioner to permit minors under 14 years of age to be employed outside school hours in coffee harvesting to June 30, 1969. New York permitted minors 16 and over in penal institutions to be employed outside the institution if working conditions meet labor law requirements.

A number of States amended hours of work and nightwork provisions. Indiana passed several amendments which, for example, set a maximum workweek of 40 hours for both boys and girls under 18; and a maximum of 3 hours a day and 23 a week for children under 16 employed during school weeks. For

16- and 17-year-old students, it prohibited employment after 10 p.m. before schooldays. North Carolina allowed work until midnight instead of until 9 p.m. for girls 16 and 17, and New York no longer applies its nightwork prohibition to 14 and 15 year-olds employed as summer counselors in children's camps. Ohio relaxed nightwork hours; for example, 16 and 17 year-olds may work an hour later on nights preceding nonschooldays—girls until 10 p.m. and boys until 11 p.m. Massachusetts modified its ban on nightwork for girls between 16 and 21 to permit those 18 and over to be employed in hospitals between 11 p.m. and 6 a.m. on shifts which do not begin or end between these hours.

Amendments relating to hazardous employment were approved in four States. Indiana incorporated all the Federal hazardous-occupations orders for minors under 18. South Dakota no longer permits children 14–16 to operate motor vehicles in employment. Minors under 18 enrolled in vocational training programs may work in otherwise prohibited employment in Oregon if they have completed training for such employment, and in Ohio if the employment is incidental to training.

Among the States amending their compulsory school attendance laws are California to lower the school entry age to include 6 year-olds; Illinois to permit school districts to operate all year and permit attendance for any 3 consecutive quarters; Minnesota to require attendance through the 10th grade and to remove exemptions for distance and for seasonal work at home; New Mexico to remove exemption for distance; and Wisconsin to remove the permission for children who have completed the 8th grade to attend vocational and adult school in lieu of attendance at regular school. Florida removed the provision granting permission to withdraw a child from a school where races are mixed. South Carolina restored its compulsory school attendance law, repealed in 1955; local school boards may determine the effective date for compliance not later than July 1, 1974.

Discrimination in Employment.—West Virginia approved a civil rights act prohibiting discrimination in employment and public accommodations because of race, religion, color, national origin, or ancestry. Minnesota broadened the scope of its law and created a Department of Human Rights which was given authority not available to its predecessor agency. A Connecticut law reorganized and renamed its civil rights agency and established a legislative and an executive committee to aid in implementation of the antidiscrimination program at all levels. Kansas authorized the agency to take actions on its own initiative. California required the administrative agency to give notices to parties being investigated. An Illinois law required employment agencies to comply with the law in their referrals and taking of job orders.

Connecticut and Illinois extended coverage by reducing numerical exemptions, and Indiana authorized the enactment of local ordinances. Tennessee created an advisory antidiscrimination commission to promote and develop equal opportunities for individuals.

Two amendments dealt with public works: Connecticut required contractors to agree to furnish the State civil rights commission with information on employment practices and procedures; Ohio invalidated hiring hall agreements obligating public works contractors to use union labor, unless the union has in effect antidiscrimination procedures for referring qualified employees.

Connecticut, Idaho, Nevada, and Wisconsin added sex as a prohibited basis of employment discrimination. Nebraska and Indiana enacted equal-pay provisions banning discrimination based on sex. An amendment to New York's law made it unlawful for an employment agency to discriminate in its service to a person because of sex. Illinois enacted a comprehensive law banning discrimination because of age. Massachusetts coordinated the responsibility for its older worker law in an existing inter-agency commission on aging.

Hours of Work.—In the last 2 years, since passage of Title VII of the Federal Civil Rights Act banning sex discrimination, States have been reviewing their labor laws, primarily to examine the effect of maximum hours laws on job opportunities for women. The State legislatures have made various kinds of adjustments in such laws.

Michigan² and Oregon repealed their maximum hours provisions; however, in each instance the labor department was given authority to adopt rules on special working conditions for women. Two States relaxed the maximum limitation on hours for females subject to the Federal Fair Labor Standards Act and instead required overtime pay for excess hours. California permitted such females (except those specifically exempt from the Federal act's overtime provisions) to work for one employer up to 10 hours daily or 58 hours weekly provided they receive overtime pay of time and one-half the regular rate for work beyond 8 or 40 hours. North Carolina exempted from its law (9 and 48 hours) women 18 years of age and over whose employment is covered by or in compliance with the Fair Labor Standards Act; this is similar to the existing exemption for men.

Other legislation relaxed the limitation on hours worked, or added exemptions for certain female employees. California per-

² See footnote to Act 187 on p. 63.

mitted any female to work for more than one employer up to 10 hours a day and 58 hours a week, instead of 8 and 48. It also permitted licensed cosmetologists to work beyond 8 hours to complete a customer service, provided compensatory time off is given in the same week. Illinois allowed females to be employed 9 hours a day instead of 8 without the need to reduce hours in the same workweek unless the worker requests the time off or has worked in excess of 48 hours that week. The exemptions enacted include employees in floral establishments on certain holidays in Missouri, those in certain professional, executive, or administrative categories in Colorado and Illinois, and those under collective bargaining agreements in Maryland. Colorado also exempted certain clerical workers, and Illinois exempted the assistants of professional, executive, or administrative personnel. Puerto Rico made certain exemptions from nightwork limitations for hospital employees. South Carolina deleted a provision that prohibited employment of women after 10 p.m. in mercantile establishments.

Changes were made in laws requiring special permits from the labor commissioner for nightwork or work in excess of the maximum hours in four jurisdictions. New York doubled the time during a calendar year (to 16 weeks) that a permit may be issued for women 21 and over to work in excess of 8 hours a day and 48 a week in a factory. It also allowed barmaids 21 years and over to do nightwork without permits. New Hampshire allowed nightwork, with permission, when there is a mutual employee-employer agreement. Nebraska allowed a certain amount of emergency work, with permission from the commissioner, if the employee consents. Puerto Rico now will grant permits for females over 18 years of age to work after 10 p.m. in industries where such work was previously banned.

Laws were extended to new groups of employees: In Massachusetts to nonprofessional personnel in medical-care homes, and in New York to females and minors in telephone-answering services.

Industrial Relations.—A number of States enacted important improvements or new legislation affecting the rights of employees in both public and private employment.

Private Employment.—The 15th State labor relations act was passed in Vermont, the first such enactment since the North Dakota law of 1961.³ The Vermont law, of the Taft-Hartley type, applies to employers of five workers or more, with certain exceptions. It also strengthened the mediation and arbitration act.

³ The jurisdictions with labor relations acts are Colorado, Connecticut, Hawaii, Kansas, Massachusetts, Michigan, Minnesota, New York, North Dakota, Pennsylvania, Puerto Rico, Rhode Island, Utah, Vermont, and Wisconsin.

Amendments were made to similar acts in three other States. Connecticut extended its law to certain employees in licensed hospitals and charitable or educational agencies. Wisconsin permitted certain motor-freight transportation employers and unions representing multi-State bargaining units to execute an "all-union agreement" without an election. Two North Dakota laws strengthened the authority of the labor commissioner: one re-activated a law, repealed in 1965, authorizing him to mediate labor disputes, and the other made his cease-and-desist orders enforceable by mandamus proceedings.

Two anti-injunction laws were amended. Connecticut added a requirement that complainants in temporary injunction suits show that public officers cannot adequately protect their property, and Illinois outlined specific procedures and conditions for suits involving temporary restraining orders.

Connecticut also enacted a law prohibiting the use of lie-detector tests as a condition of employment (making a total of 11 States with such laws).⁴ Arkansas, Florida, and Nevada required the licensing of lie-detector machine operators.

In other enactments, Alaska required an affiliated union with State membership of 100 or more to have a chartered local organization within the State; Hawaii amended its antistrike-breaker provisions by requiring that any person recruiting employees during a labor dispute identify the employer and indicate that a dispute exists; and New Mexico invalidated agreements by any employee or other person not to affiliate with a labor or an employer organization, or to terminate employment because of membership. Texas made it unlawful to interfere with "peaceful and lawful picketing." It also reduced from a felony to a misdemeanor the penalty for violation of the existing ban on interference with an employee in his pursuit of a lawful vocation.

Connecticut repealed its health and welfare fund financial reporting law; another law in that State increased the membership of the labor relations board to meet emergency situations; and another one prohibited persons not directly interested in a strike or lockout from recruitment or referral of professional strikebreaker as replacements. An Illinois law prohibited picketing a private residence or dwelling, but does not apply to peaceful picketing of places of employment. A Louisiana law created a factfinding commission to inquire into allegations of violation of criminal laws arising out of labor-management disputes.

Public Employment.—A number of States passed laws of major significance affecting labor-management problems in the public

⁴ Alaska, California, Connecticut, Delaware, Hawaii, Maryland, Massachusetts, New Jersey, Oregon, Rhode Island, and Washington.

sector. Washington for the first time enacted a law giving labor representatives exclusive bargaining rights to negotiate on wages, hours, and conditions of work and permitting dues checkoff for all public employees in the State. The new Vermont labor relations act of general application, while excluding employment by the State and its subdivisions, made most provisions of the law specifically applicable to municipalities with five employees or more.

New York replaced its Condon-Wadlin Act with the Taylor Law which is administered through a public employment relations board. Two special New York laws granted immunity from penalties under the former law to certain public employees who struck in early 1967. (New York City also enacted a collective bargaining law.)

Hawaii, Massachusetts, and Missouri strengthened their laws. For example, Massachusetts and Missouri permitted exclusive recognition of employee organizations. Hawaii made it clear that employees have the right to organize and that agency heads must consult with them prior to changes in working conditions.

Other new laws or amendments gave the right to organize and bargain collectively to municipal employees in Rhode Island, to firefighters in Alabama and Florida, to teachers in Minnesota and Nebraska, to registered or licensed practical nurses in Montana, and to port district employees in Washington. Alabama, Florida, and Rhode Island laws specifically prohibit strikes by these particular public employees. Dues checkoff is now permitted in California, Nebraska, New York, Texas, and Washington. In addition, Iowa made it lawful for civil service employees, individually or collectively, to express "honest" comments concerning wages or other conditions of employment. Pennsylvania moved to protect the existing and future rights and benefits of employees of transit systems acquired by certain cities. Connecticut designated as an unfair practice a municipal employer's failure to request legislative approval of agreements in conflict with existing statutes; Massachusetts limited municipal employee-employer contracts to 3 years; and Wisconsin permitted parties in municipal labor disputes to select a mediator by mutual consent. Florida, on the other hand, prohibited the city of Sanford from recognizing any labor organization representing municipal employees.

Occupational Safety and Health.—Texas and Michigan enacted comprehensive laws expressly requiring that employers furnish a safe place to work, and providing the administrative agency with general rulemaking authority.

Much of the safety activity has concerned legislative acts to regulate radiation hazards. Comprehensive radiation control laws were enacted in Idaho, Montana, South Carolina, Utah, and Vermont. In addition, Colorado, Illinois, Maryland, Puerto Rico, and South Dakota strengthened their existing laws. Six States (Connecticut, Hawaii, Montana, South Dakota, Utah, and Vermont) authorized Federal-State agreements for transfer to the State of certain Federal radiation control responsibilities.

Two new regional radiation compacts came into existence. A compact was activated in New England when 5 of 6 States eligible for membership (Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) joined to promote radiological health protection and to share the use of personnel and equipment in radiation protection programs. Illinois became the first of 13 eligible Midwest States⁵ to approve entry into that region's newly conceived nuclear compact which, in organization and functions, will be patterned after the 17-State Southern Interstate Nuclear Compact.⁶ Six States are needed to activate the Midwest Nuclear Board.

Kansas, Minnesota, Tennessee, and Wyoming passed laws requiring students and teachers to wear eye-protective devices during school courses that involve certain hazardous operations. Connecticut specifically directed the Board of Education to adopt regulations on the use of devices for eye protection. Eye protection in schools is now required in 25 States.⁷

Among other actions were amendments to the general safety laws in eight States (California, Connecticut, Hawaii, Maine, Minnesota, Nevada, Ohio, and Washington). For example, Hawaii prohibited the discharge of any worker for refusal to engage in any employment with unsafe equipment or in violation of safety requirements, and Ohio removed its prohibition on employment of females on certain types of wheels and belts, but specifically applied safety standards.

Private Employment Agencies.—Colorado, Massachusetts, and Minnesota strengthened their private employment agencies laws: For instance, in Colorado a statewide licensing fee was set, Minnesota required managers and counselors to be licensed and set a uniform licensing fee, and Massachusetts set maximum placement fees. California transferred the administration of its laws (except provisions for farm labor contractors) from the labor department

⁵ Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

⁶ See *Annual Digest of State and Federal Legislation*, 1963, p. 50.

⁷ Alabama, Arkansas, California, Connecticut, Delaware, Florida, Illinois, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Minnesota, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, and Wyoming.

to the Department of Professional and Vocational Standards. In New York, employers are to pay the entire placement fee for domestic dayworkers who are transported to and from jobs by an agency.

Other enactments included an Illinois law to exempt agencies engaged in executive or professional recruitment; a Florida law to prohibit an agency from requiring applicants to subscribe to resumé services and to require agencies to be under the supervision of licensed agents; an amendment in Oklahoma to increase the annual licensing fee; and a Hawaii law to exempt emigrant agents engaged in recruitment of college students and graduates, or persons in work of a professional, managerial, or specialized nature.

State Department of Labor.—Minnesota abolished the three-member Industrial Commission formerly responsible for administering most labor laws, including workmen's compensation, and transferred the functions to a new Department of Labor and Industry, to be headed by an appointed commissioner. Vermont renamed its department the Department of Labor and Industry.

In an act that reorganized the executive branch, Wisconsin's Industrial Commission was assigned departmental status and is now the Department of Industry, Labor, and Human Relations; it was given the added responsibility of regulating migrant housing and administering all phases of civil rights.

A few States enacted laws dealing with Federal-State relations. Arkansas authorized the labor commissioner to enter into agreements with Federal and State Governments for cooperation and reimbursement in enforcing and implementing Federal and State laws and programs. Oklahoma and New Jersey authorized any agency of the State to participate in intrastate, interstate, and Federal programs of interchange of personnel for cooperation in solving problems affecting the State. It also requested a legislative committee to study the operations of the office of the labor commissioner. Illinois transferred the administration of the economic opportunity act to the labor department. Maryland created a new division of research and information; Oregon made expenditure of Federal job training funds subject to legislative limitations.

Puerto Rico created and appropriated funds (available on a matching basis) for a Program of Technical and Economic Assistance within the labor department for labor unions to develop worker education programs that will eventually make collective bargaining more effective and meaningful.

Training.—California created a temporary council to coordinate all existing job training and placement programs. It also prohibited reduction in public aid because recipients receive benefits

under the Federal Manpower Development and Training Act and the Elementary and Secondary Education Act. Hawaii, New Jersey, and Pennsylvania permitted the acceptance of Federal funds for training programs to augment State funds. Illinois broadened the participation in training programs among public aid recipients to include the aged, the blind, and the disabled. This State also created a commission to operate for 2 years to study the impact of technological changes on industrial relations, the economy, and future work force needs. Colorado authorized the labor department to set up on-the-job training programs for journeymen in apprenticeable occupations and for workers entering new occupations in nonapprenticeable occupations. New York created a nurse manpower center to determine manpower needs and to operate recruitment and refresher courses.

Wage Standards.—Numerous laws dealt with minimum wages, wage payment and wage collection, or prevailing wages.

Wages and Hours.—Over half the States enacted minimum wage amendments or new laws this year; among them was Nebraska's law which came nearly 50 years after its original minimum wage law was repealed. The number of States with such laws to date is 41⁸ (three are wage board laws with no rates in effect). Oregon enacted a statutory law for men and women, replacing its former wage board law for women and minors only.

Thirteen States increased their statutory minimum rates. Seven of these (Delaware, Idaho, Indiana, Maryland, New Mexico, Pennsylvania, and Wyoming) raised rates from \$1 an hour or less, providing one- or two-step increases effective over the next year or two. The other six States (Connecticut, Maine, New Hampshire, Rhode Island, Vermont, and Washington) increased their basic \$1.25 rate to \$1.50 or \$1.60.⁹

Two States that set rates solely by wage board procedure revised wage orders setting a single rate for all occupations and industries. Effective February 1, 1968, the California rate will be \$1.65 an hour for women and \$1.35 for minors and students. Wisconsin sets a rate of \$1.25 an hour for women and \$1.10 for minors in all industries and occupations.

Connecticut enacted a separate overtime law requiring payment

⁸ Jurisdictions with operative laws are: Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming. Illinois, Kansas, and Louisiana have no rates in effect.

⁹ In Alaska, a 1962 amendment provided that the minimum rate be set at not less than 50 cents greater than provided by the FLSA. Thus, the present rate increases to \$2.10 on February 1, 1968.

of time and one-half the employee's regular rate, including hotels and restaurants. Vermont added an overtime requirement to its minimum wage law for time and one-half after 48 hours a week. On the other hand, Maine added an exemption from its weekly overtime provision for employees in hotels and restaurants.

Eight States widened coverage by new legislation or by the removal of exemptions. Oregon's new enactment extended coverage to men. New Hampshire made its wage board provisions applicable to men, thus providing minimum rates in some industries, such as hotels and restaurants. Maryland no longer exempts employers of fewer than seven employees nor certain industries, among them, restaurants, hotels, and hospitals. New Mexico and Massachusetts dropped their exemption for agricultural employees. Maine now includes certain tipped workers, and Connecticut and Vermont no longer exempt employers subject to the Fair Labor Standards Act, except those in manufacturing in Connecticut. Connecticut also made minors under 18 years of age and learners and beginners eligible for the full minimum wage after 200 hours of work instead of 500 hours.

Exemptions were added in New Jersey for employees working from June through September in certain children's summer camps, and in Indiana for employers subject to FLSA. New York approved a requirement that employers found in willful violation of its law pay an additional 25 percent of wages due.

Wage Payment and Wage Collection.—Idaho enacted a comprehensive wage payment and wage collection law that prohibits deductions without employee authorization, entitles an employee to recover up to three times the unpaid wages as liquidated damages, and gives the labor commissioner authority to take assignment of wage claims up to \$250. Montana amended its law to authorize its commissioner to take wage assignments. North Dakota and Wisconsin raised to \$500 the amount of wage claims that its commissioner may accept. Twenty-seven jurisdictions now grant an administrative agency wage assignment authority for collection purposes.¹⁰

California required commission salesmen to be paid monthly on a designated date. Colorado made its law applicable to all domestic workers, instead of only to those who are boarded and lodged, and made any employer who refuses to pay liable for wages due and for an additional 50 percent in separation cases. Connecticut strengthened its law by specifying lawful money for wage pay-

¹⁰ Alaska, Arkansas, California, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Illinois, Indiana, Maryland, Michigan, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Oregon, Pennsylvania, Puerto Rico, Rhode Island, Utah, Virginia, Washington, and Wisconsin.

ments, requiring payment on the next regular payday when an employee is discharged for any reason, and prohibiting deductions without employee authorization. And in another enactment gave labor unions the authority to institute civil action to enforce an arbitration award on wage payments.

Alaska, Oklahoma, and Utah clarified their laws to insure that payments are made in lawful money and can be redeemed at face value. Arkansas and Maryland authorized the labor commissioner to enter into interstate agreements to collect wages from out-of-State employers. States strengthened provisions for security of wages. Oregon authorized the labor commissioner to take liens or other instruments of security; Wyoming raised the bond required of nonresident employers; and Tennessee made it unlawful for a person to knowingly issue checks, particularly in payment of wages, when funds are insufficient. Hawaii and Washington increased the amount of a deceased employee's wages payable to survivors without letters of administration.

Wage Garnishment.—Seven States amended the wage exemption provisions in their wage garnishment laws. Tennessee changed from a flat amount to a percentage exemption. Ohio's amended provision exempts a variable percentage based on the method of wage payment. Arkansas added a minimum exemption of \$25 a week.

Four other States increased the amount of the exemption: Connecticut, Illinois, Maine, and New Hampshire. In addition, Oregon exempted from garnishment all benefits payable under its occupational diseases law. South Carolina prohibited an employer from withholding wages of a resident employee under an out-of-State garnishment.

Hawaii amended its law to prohibit discharge or suspension of an employee solely because of garnishment or because the employee had filed for a wage-earner plan under the Federal bankruptcy law. Connecticut enacted a similar prohibition applicable whenever the number of garnishments is seven or less in a calendar year. The only other prohibition of this type was approved last year in New York, applicable to one garnishment in a 12-month period.¹¹

Prevailing Wages.—Wyoming for the first time enacted a prevailing wage law, applicable to public works construction costing \$5,000 or more. There are now 37 prevailing wage laws.¹²

Washington became the first State to extend its prevailing wage

¹¹ See *Annual Digest of State and Federal Legislation*, 1965-66, p. 168.

¹² In Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

law to public building service maintenance contracts, comparable to the coverage of the Federal Service Contract Act.

Connecticut made employment preference provisions on public works more explicit by prohibiting the employment of nonresidents, unless it can be shown residents are not available and also by establishing priorities. Beginning January 1, 1968, a Maine law will apply to contracts of \$10,000 or more instead of \$5,000, and wage determinations will be based on wages paid the median number of workers in mid-September of the previous year by employers of five construction workers or more.

Requirements for payments of prevailing fringe benefits were enacted in Illinois, affecting workers on all public works, and in Wisconsin such a requirement included employees on highway work (other public works are already covered).¹³ Wyoming permitted nonemergency overtime on public works if workers are paid time and one-half the regular rate. Oregon deleted a requirement for overtime pay on Veterans' Day, unless necessitated by a labor agreement.

New York added a requirement for 6-percent interest on unpaid wages due an employee of a municipal corporation. It also required contractors to maintain no higher a ratio of registered apprentices to journeymen on public works than on other jobs, and clarified the provision that journeymen's pay is required for unregistered apprentices. Massachusetts extended the provisions of its law to apprentices.

Among other laws passed was one in Connecticut to add a definition of "employee welfare fund" for purposes of making wage determinations. Hawaii required parties to union agreements to submit copies to the labor commissioner within 5 days.

Workmen's Compensation.—More than 200 amendments were made in 1967 to workmen's compensation laws in 44 States and Puerto Rico.

A Division of Workmen's Compensation was created within the newly created labor department in Minnesota which will be under the supervision of a three-member commission, made up of the present members.

Oregon strengthened the administration of its workmen's compensation law; for example, it required the compensation board to establish rules for the submission of medical reports to insure prompt reporting and payment of compensation. Nebraska placed the judges of the compensation court under the State merit plan

¹³ Seventeen States provide fringe benefits in prevailing wage laws: California, Connecticut, Hawaii, Idaho, Illinois, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Rhode Island, Washington, and Wisconsin.

for judicial selection (formerly they were appointed by the Governor), and clarified the procedure for appeals to the district court. North Dakota provided that lump sum settlements granted by the compensation bureau may be appealed to the district court. Connecticut required an employer to pay attorney's fees in contested cases decided in the employee's favor; and Utah required that an injured employee may be furnished a copy of the employer's accident report and the physician's first report.

Twenty-four States increased maximum benefits for temporary total disability, the most common type of disability. Twenty-six States, the District of Columbia, and two Federal programs now pay maximum benefits of \$60 or more a week; another four States pay maximums of \$55 or more. In addition, Hawaii raised aggregate maximum benefits to \$35,100 for all disability; Idaho raised weekly benefits for all disability, and Montana for all disability and death; Nevada raised benefits for permanent partial disability and for death; South Dakota, Tennessee, and Wisconsin increased aggregate maximum benefits for total disability and death; Maryland and South Carolina raised death benefits; and Oregon provided for weekly, instead of monthly, compensation benefits for permanent partial disability, at the same maximum rate as for temporary total disability, with a specified minimum payment.

Connecticut increased maximum benefits for all types of disability and death by providing benefits up to $66\frac{2}{3}$, instead of 60, percent of the worker's average weekly wage; and up to 60, instead of 55, percent of the State's average production wage. Vermont changed its system of computing benefits from statutory benefit amounts to a flexible figure established annually as a percentage of the State's average weekly wage which is also used to determine unemployment insurance benefits. Maine added a provision that authorized compensation, not to exceed \$1,500, for facial or head disfigurement. Tennessee extended its time period for benefits for the loss of a leg. Burial allowances were increased in nine States: Connecticut, Indiana, Kansas, Missouri, Nebraska, North Carolina, North Dakota, Ohio, and West Virginia. The following States increased their maximum medical benefits: Alabama, Kansas, Tennessee, and Texas.

Four States improved the rehabilitation programs. Connecticut created a division within the compensation commission to establish statewide rehabilitation programs for workers with compensable injuries and increased weekly benefits. Minnesota and Utah also increased the maximum weekly benefits. Alaska made the State, rather than the employer, liable under the law when a person is placed for on-the-job training or other work experience without pay.

Connecticut provided death benefits for a second injury, payable the first 104 weeks by the employer, thereafter by the second-

injury fund, and increased the required minimum balance of the fund to \$100,000 from \$50,000. Nebraska increased to \$1,000 from \$500 the required contribution into the second-injury fund in no-dependency death cases. Oklahoma increased to \$300,000 from \$200,000 the reserve level in the special indemnity fund at which further payments into the fund are suspended, and authorized specified types of investment of 80 percent of sums held to the fund's credit.

Connecticut, New Hampshire, and Wisconsin eliminated numerical exemptions. Missouri reduced its numerical exemptions to eight employees, and Vermont to three. New Hampshire extended coverage to all public employees and a number of other States added coverage for specified public officials. Iowa, Maine, Nebraska, and Texas extended coverage to elected or appointed executive corporate officers, and also required the State Highway Department to provide coverage for their employees. Nevada included officers of quasi-public or private corporations in the definition of employee under the workmen's compensation and occupational diseases acts. Missouri and Maine extended coverage to executive officers of corporations; and Missouri also covered members of the organized militia when ordered to active duty by the Government. Other States extending coverage to specified public employees or volunteer workers include California, Connecticut, Maryland, Minnesota, New York, Oklahoma, Oregon, Pennsylvania, West Virginia, and Wyoming. Michigan and Oregon made amendments relating to agricultural workers.

Arizona exempted motion picture employers and their employees if temporarily in the State (up to 8 months) and if insurance is otherwise provided at least equal to the requirements of their home State.

A number of States made changes in their laws applying specifically to occupational diseases. Wyoming made exposure to ionizing radiation the first compensable occupational disease under its workmen's compensation law; Alabama added occupational exposure to radiation as a compensable disease. Vermont added a special provision for filing radiation or other latent disease claims. Ohio made cardiovascular and pulmonary diseases incurred by firefighters compensable occupational diseases, Illinois provided coverage for persons of civil defense mobile teams. Kansas made coronary and cerebrovascular injury compensable when it can be linked to "greater than usual work exertion." Maine and New Hampshire changed from schedule coverage of occupational diseases to the full coverage method.

Several States enacted laws dealing with dust diseases or radiation. Maryland provided that benefits for permanent partial disa-

bility due to silicosis, asbestosis, or other dust diseases be payable in the same manner as for other cases of disability. Radiation claims were exempted from the time limit of 1 year from last exposure applying to other occupational diseases. Idaho reenacted, with some modification, the silicosis provisions of the occupational disease law as they existed prior to the 1965 amendments by reactivating a disallowance for partial disability compensation and a provision making the last employer liable. Another amendment set the time limit for filing radiation claims at 3 years from the date the employee knew or should have known of the injury, but in no event more than 30 years from the date of the last occurrence to which the injury is attributed. Nevada extended from July 1, 1967 to July 1, 1969 the supplemental compensation payable to claimants or dependents who have received the maximum benefits payable for disability or death from silicosis. Vermont increased the maximum compensation for disability and death from silicosis or asbestosis. Montana raised to \$125 the monthly payments under the public welfare law to persons totally disabled because of silicosis. West Virginia extended its time limit for filing occupational disease claims to 3 years after the last exposure. In death cases, the 1-year filing limit after the worker's death was retained. Colorado and Utah increased compensation benefits for death or disability resulting from an occupational disease. Maryland made deafness caused by industrial noises a compensable occupational disease, and Missouri increased the benefits period for deafness.

Among other enactments, Maryland created an uninsured employers' fund to cover payment of benefits to employees when an uninsured employer has failed to make payments within 30 days after an award. Minnesota provided benefits from a special compensation fund to employees injured while employed by an uninsured employer. Hawaii extended dependency benefits to age 20 for full-time students. New Mexico and Puerto Rico provided additional benefits for safety violations. Georgia and Massachusetts created committees to make comprehensive studies of their workmen's compensation laws, and New Jersey reconstituted and continued its Commission To Study Workmen's Compensation, which was created in 1966.

Other State Laws.—Arkansas and Hawaii prohibited the commercial practice of debt adjusting (also called debt pooling), and Connecticut, Iowa, Nebraska, and Washington regulated this business. (The Nebraska law is not effective until 1969.) Texas added an exemption for nonprofit and public agencies offering debt counseling. There are now 22 States with prohibitory laws

and 13 with regulatory laws.¹⁴ Pending approval of a constitutional amendment, New Mexico created an economic development authority. Seven States authorized studies of various labor standards subjects.

Federal Legislation.—A number of significant new acts and amendments to existing acts that were passed during the 1967 session of the Congress dealt with labor standards, unemployment, social security, and training and education.

An antidiscrimination law for older workers was among the new enactments. Effective June 12, 1968, it will be the policy in the country to promote the employment of older workers based on ability rather than age, to prohibit arbitrary age discrimination in employment, and to help employers and employees to find ways of meeting problems involving age. The law applies to persons of at least 40 but less than 65 years of age and employers in interstate commerce with 50 employed persons or more (to be reduced to 25 by the end of June 1968). The law also applies to employment agencies servicing these employers, and to certain labor unions. Another act extended the life of the Commission on Civil Rights to January 31, 1973.

Major amendments to the Social Security Act were passed. Some of which are: A 13-percent across-the-board increase to all beneficiaries under the old-age, survivors, and disability insurance; additional benefits for young workers disabled before the age of 31; and the establishment of a work incentive program for recipients of aid to families with dependent children, to be administered by the Labor Department.

The life of several grant-in-aid programs for training and education was extended. For example, those under the higher education act, the selective service and veterans' pension acts, older workers act of 1965, and vocational rehabilitation act. In this connection numerous amendments were made in the equal opportunity for training programs, as well as those dealing with child care, the volunteer service, and other social welfare programs. The migratory agricultural labor program under this act was expanded to include other services, such as consumer training and counseling, and legal services. Another law set up a new grant-in-aid program for providing a complete range of vocational rehabilitation services to handicapped migratory workers and their families.

¹⁴ The States having prohibitory laws are Arkansas, Delaware, Florida, Georgia, Hawaii, Kansas, Maine, Massachusetts, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, West Virginia, and Wyoming.

The States having regulatory laws are California, Colorado, Connecticut, Idaho, Illinois, Iowa, Michigan, Minnesota, Nebraska, Oregon, Utah, Washington, and Wisconsin.

Among the amendments on employment and economic development was one on the expansion of the Appalachian Region to include 37 more counties in four States. This law also established a new program of loans and grants for planning and assistance to stimulate use of the funds available to low-income families under the National Housing Act.

Other laws include a 2-year extension of the food stamp act for low-income families, and amendments in several programs for construction of educational and health facilities.

ALABAMA

[Regular Session: 5/2/67-8/31/67]

[First Special Session: 3/2/67-5/1/67]

INDUSTRIAL RELATIONS

Act 229 (*Approved and effective 8/16/67*). Assures the rights of all firefighters and firemen to self-organization, to join or to continue as members of any employee or labor organization if they and their organization comply with the antistrike provisions of this act. Prohibits firefighters from participating in an employee organization which asserts the right to strike against the State or any municipality. Recognizes the rights of such employees to present proposals on salaries and other conditions of employment through representatives of their own choosing. Prohibits discharge or discrimination against such persons for the exercise of these rights, or coercion or intimidation of persons who join or refuse to join a labor organization.

WORKMEN'S COMPENSATION

Act 168 (*Approved and effective 8/1/67*). Increases maximum weekly benefits for all types of disability and death to \$44 from \$38, and aggregate maximum to \$17,600 from \$15,000. Increases maximum number of benefit weeks for death to 400 weeks from 300. Increases maximum medical benefits to \$6,000 from \$2,400.

(Amends Ch. 5, Code 1940, Title 26, secs. 279, 283, 289, 293, and 300.)

Act 521 (*Approved and effective 9/7/67*). Makes disablement or death caused by occupational exposure to radiation a compensable disease. Provides for the computation of all benefits in the same manner and in the same amounts as provided for disability or death resulting from an accident in the course of employment.

Requires claims to be filed within 1 year after employee knew, or should have known, the nature of his disability and its relation to his employment, or within 1 year after death resulting from such exposure.

(Adds Art. 2(B) to Ch. 5, Title 26, Code 1940.)

ALASKA

[Regular Session: 1/23/67-4/9/67]
[First Special Session: 9/29/67-10/4/67]

INDUSTRIAL RELATIONS

Ch. 8 (*Approved 2/23/67*). Makes it unlawful for an affiliated labor organization with intrastate membership of 100 or more not to have a duly chartered local organization within the State.

(Enacts secs. 23.40.050 and 23.40.060, Title 23, Ch. 40.)

OCCUPATIONAL SAFETY AND HEALTH

H. Con. Res. 32 (*Adopted 3/2/67*). Directs the legislative council, in cooperation with the labor department, to make a study of causes and preventive measures for industrial and related accidents, and to report its findings to the next legislature.

TRAINING AND RETRAINING

H. Con. Res. 13 (*Adopted 3/7/67*). Requests all employers and labor unions to promote the full employment of Alaska residents through policies of hiring and training the employable in Alaska rather than importing workers from other States.

H. Con. Res. 50 (*Adopted 3/31/67*). Requests the Governor to direct the labor department to study unemployment in the Bethel area and to report findings to the next legislature on establishing a training program and on making Bethel workers available to other areas.

VETERANS' REEMPLOYMENT RIGHTS

Ch. 33 (*Approved 3/23/67; effective 3/24/67*). Extends to veterans of the Vietnam conflict employment preference rights in the State classified service now granted to veterans of other wars.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 35 (*Approved and effective 3/28/67*). Makes it unlawful for an employer to require an employee to accept payment of wages in scrip that is redeemable only at a company store; and makes scrip redeemable upon demand.

WORKMEN'S COMPENSATION

Ch. 46 (*Approved 3/28/67; effective 3/29/67*). Makes the State, rather than the employer, liable under the workmen's compensa-

tion law when, at the request of the Office of Vocational Rehabilitation, a person is placed with an employer for on-the-job training or other work experience without pay.

(Amends sec. 23.30.045, Title 23, Ch. 30.)

ARIZONA

[Regular Session: 1/9/67-3/13/67]

[First Special Session: 5/31/67-6/2/67]

[Second Special Session: 10/30/67-11/17/67]

APPRENTICESHIP

Ch. 33 (*Approved 3/16/67; effective 6/12/67*). Authorizes the Apprenticeship Council to contract with Federal agencies to receive and disburse Federal funds.

(Enacts sec. 23-222.01, Title 23, Ch. 2, art. 2, Ariz. Rev. States.)

WORKMEN'S COMPENSATION

Ch. 125 (*Approved 3/21/67; effective 6/12/67*). Exempts from its compulsory law motion picture employers and their employees if in the State temporarily, up to 8 months, and if insurance is provided at least equal to that of the home State. Requires Arizona residents employed by such employers to reject the Arizona law and accept the employer's insurance coverage.

(Enacts sec. 23-909, Title 23, Ch. 6, Art. 1, Ariz. Rev. Stats.)

ARKANSAS

[Regular Session: 1/9/67-3/31/67]

DEBT POOLING

Act 61 (*Approved 2/9/67; effective 6/30/67*). Prohibits the commercial business of debt adjusting, with certain exemptions.

OCCUPATIONAL SAFETY AND HEALTH

Act 236 (*Approved 3/9/67; effective 6/30/67*). Amends the 1961 law which provides that Arkansas become a member of the "Southern Interstate Nuclear Compact," to make Missouri the 17th State eligible for membership.

(Amends Ark. Stats. 9-1101, Art. VIII(a).)

STATE DEPARTMENT OF LABOR

Act 414 (*Approved 3/16/67; effective 6/30/67*). Authorizes the labor commissioner to enter into agreements with Federal and

State Governments for assistance and cooperation in enforcing and implementing State and Federal laws and projects in fields related to the State labor department, and permits the department to accept reimbursement for its services. (This authority would also extend to reciprocal agreements with other States for the collection of unpaid wages.)

WAGE PAYMENT AND WAGE COLLECTION

Act 414. See **State Department of Labor.**

WAGES—WAGE GARNISHMENT

Act 65 (*Approved 2/9/67; effective 6/30/67*). Exempts from garnishment the first \$25 a week of the net wages of all laborers and mechanics. Retains provision for residents exempting 60 days' wages provided the defendant files a sworn statement that wages and other personal property owned do not exceed the limits set by the Constitution: \$500 for family heads, and \$200 for others.

(Amends sec. 30-207, Ark. Stats. (1947).)

WAGES AND HOURS—ALL WORKERS

S. Res. 12 (*Adopted 2/3/67*). Requests the State attorney general to institute proceedings in the Federal court challenging those provisions of the Federal minimum wage law which extend application of the law to State and local employees.

MISCELLANEOUS

Act 413 (*Approved and effective 3/16/67*). Requires licensing of polygraph examiners (lie-detector operators) and trainees, and sets minimum qualifications. Gives administrative responsibility to the Investigators Licensing Board established in 1965 to regulate licensing of private investigators and investigative agencies.

CALIFORNIA

[Regular Session: 1/2/67-9/8/67]

[First Special Session: 9/5/67-9/7/67]

[Second Special Session: 11/9/67-12/8/67]

AGRICULTURAL WORKERS

Ch. 1506 (*Approved 8/28/67*). Removes the terminal date (September 17, 1967) from the provision which prohibits discriminatory practices in the employment of certain live-in agricultural workers.

Permits the antidiscrimination division to engage in affirmative actions, as defined, with any employers, employment agencies, or labor organizations in the furtherance of the antidiscrimination law.

(Amends sec. 1413, rennumbers secs. 1431 and 1432, and adds sec. 1431, Labor Code.)

APPRENTICESHIP

Ch. 1430 (*Approved 8/25/67; effective 11/8/67*). Permits State and local apprenticeship committees, with the approval of the Board of Barber Examiners, to establish advanced courses in barbering for registered barbers and apprentices under the provisions of the apprenticeship law.

(Adds sec. 6537.2, Business and Professions Code.)

Ch. 1592 (*Approved and effective 8/30/67*). Requires the Division of Labor Statistics and Research, in cooperation with the Division of Apprenticeship, to conduct an annual survey of the ethnic derivation of persons who are parties to apprenticeship agreements. Provides that this survey shall not be construed to require an employer to hire a specified quota of persons of any particular ethnic group, but is an effort to eliminate duplication while providing data that will be used to satisfy a need of the Federal Equal Employment Opportunity Commission for such information.

(Rennumbers secs. 151, 152, and 153, Labor Code; adds sec. 151.)

Ch. 1593 (*Approved 8/30/67; effective 11/8/67*). Makes conforming changes in the antidiscrimination and apprenticeship laws to prohibit discrimination on the basis of race, creed, color, or national origin in selecting and training of apprentices under the discrimination law, and to establish procedures for filing discrimination complaints with the discrimination commission under the apprenticeship law.

(Amends secs. 1420, 1422, and 3095,¹⁵ Labor Code; adds sec. 3096.)

Ch. 1611 (*Approved 8/30/67; effective 11/8/67*). Prohibits any employer organization or joint committee entering into an agreement after the effective date of this act from setting a maximum entry age for apprentices of less than 31 years.

(Adds sec. 3077.5, Labor Code.)

Ch. 1704 (*Approved 9/2/67; effective 11/8/67*). Requires the Apprenticeship Council's regulations to include provisions on equal opportunity, particularly those toward elimination of irrelevant or

¹⁵ An earlier law, Ch. 325, approved 6/14/67, had amended the apprenticeship law, sec. 3095, Labor Code, by including sex as a prohibited basis of discrimination in any recruitment or apprenticeship program, but this change was not carried forward in Ch. 1593.

unnecessarily stringent qualifications, in apprenticeship and other on-the-job training; and to widely publicize the programs, emphasizing in particular the trade involved, minimum qualifications for trainees, and the time and place where applications are received. (Amends sec. 3071, Labor Code.)

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 1583 (*Approved 8/30/67; effective 11/8/67*). Lowers the entry age for compulsory school attendance to 6 from 8 years. (Amends secs. 12101, 12102, and 12405, Education Code.)

DISCRIMINATION IN EMPLOYMENT

Ch. 1118 (*Approved 8/14/67; effective 11/8/67*). Requires the Fair Employment Practice Commission to give written notice to any person or labor organization being investigated for an alleged unfair practice.

(Adds sec. 1422.2, Labor Code.)

Ch. 1506. See **Agricultural Workers.**

Ch. 1592. See **Apprenticeship.**

Ch. 1593. See **Apprenticeship.**

Ch. 1704. See **Apprenticeship.**

HOURS OF WORK

Ch. 958 (*Approved 7/28/67; effective 11/8/67*). Exempts an employer from compliance with maximum 8-hour day provision under the women's hours law and permits him to allow compensatory time off in the same workweek for a licensed cosmetologist who has to work beyond 8 hours a day to complete a customer service, if when the service was begun the overtime was not anticipated. Retains the maximum 48-hour week.

(Adds sec. 1352.5, Labor Code.)

Ch. 1513 (*Approved 8/28/67; effective 11/8/67*). Permits females who are subject to the Fair Labor Standards Act to work up to 10 hours a day and 58 hours a week for one employer, provided that they receive overtime pay of one and one-half times their regular rate for work in excess of 8 a day or 40 a week. Makes overtime provisions applicable to females employed by airlines, but inapplicable to those completely exempt from the overtime provisions of the Federal law and to those in the laundering, cleaning, or repairing of clothing, or in the clothing manufacturing industries. Permits any female subject to the maximum hours law to be employed up to 10 hours a day and 58 hours a week for more than one employer. (Maximum hours are 8/48.)

Prohibits the labor department from placing on employers more restrictive limitations than provided in the law.

(Amends secs. 1350, 1351, 1352, and 1356, Labor Code; adds secs. 1350.5 and 1357.)

INDUSTRIAL RELATIONS

Ch. 1624 (*Approved 8/30/67; effective 11/8/67*). Extends permission to employees of a county, other than a city and county, for authorization of deductions from wages for dues or for any other services provided by an employee organization, as is already available to employees of public agencies of the State.

(Amends secs. 1157.1 and 1157.3, Government Code; adds secs. 1157.4 and 1157.5.)

MIGRATORY WORKERS

Ch. 1032 (*Approved 8/10/67; effective 11/8/67*). Removes the terminal date from the law authorizing the State to apply for funds under the Economic Opportunity Act of 1964 for services to migratory farmworkers, thus extending the enabling legislation indefinitely.

(Repeals sec. 2, Ch. 1576, 1965 Stats.)

Ch. 1505. See **Private Employment Agencies.**

OCCUPATIONAL SAFETY AND HEALTH

Ch. 398 (*Approved 6/26/67; effective 11/8/67*). Reenacts the 1963 safety provisions for the maritime industry, which terminated in 1965. Includes regulation of weight of material stored on floors or platforms, method of piling or stacking materials, inspection of machinery and equipment subject to wear, and use of internal combustion engines. Sets a terminal date—61st day after the end of the 1969 legislative session. (Bills introduced in 1965 for extension died.)

(Repeals and reenacts secs. 7601–7607, 7609, and 7611; amends sec. 7610, Labor Code.)

Ch. 1722 (*Approved 9/2/67; effective 11/8/67*). Requires local health departments to provide services in occupational health to promote the good health of employees through occupational disease control and other appropriate activities.

(Adds sec. 25960, Health and Safety Code.)

A. Con. Res. 50 (*Adopted 7/28/67*). Requests the labor department to issue regulations to conform to the U. S. Department of Labor standards for safety of longshoring equipment.

OLDER WORKERS

Ch. 1611. See Apprenticeship.

PRIVATE EMPLOYMENT AGENCIES

Ch. 1505 (*Approved 8/28/67; effective 11/8/67*). Repeals and reenacts the private employment agency law. Transfers the administration of the law from the labor department to a newly created Bureau of Employment Agencies in the Department of Professional and Vocational Standards. Leaves the administration of laws relating to farm labor contractors, artists, managers, and nurses in the labor department. Establishes a seven-member board to advise the director of the newly created bureau and to make any necessary regulations.

Increases annual license fee to \$200 instead of a range of \$50 to \$150, according to population; and raises fee to \$100 from \$50 for each branch office.

(Adds Ch. 21, Business and Professions Code.)

STATE DEPARTMENT OF LABOR

Ch. 1505. See **Private Employment Agencies**.

H. Res. 515 (*Assigned to legislative Interim Committee on Industrial Relations*). Directs the legislative committee on rules to assign to the appropriate committee the task of making a study relative to the Industrial Welfare Commission to determine: whether women and minors require greater protection than men in industrial relations; whether the legislature has delegated to the Commission too broad authority to establish wages, hours, and conditions of work for women and minors; whether the Commission has exercised its authority responsibly. Requires a report to the next legislature.

TRAINING AND RETRAINING

Ch. 1105 (*Approved 8/14/67; effective 11/8/67*). Declares the intent of the legislature to organize the many existing job training and placement programs in the State into a coordinated system designed to remove employable persons from public dependency and to enlist support of private industry in securing jobs for graduates of such programs. Authorizes the establishment of a 21-member council (to operate until December 31, 1968) to study existing programs, available jobs, and future job needs, and to make an interim report to the Governor and to the 1968 legislative session and a final report in 1969.

(Adds secs. 12085, 12089, 12090, 12091, Government Code.)

Ch. 1601 (*Approved 8/30/67; effective 11/8/67*). Provides that public aid shall not be reduced by benefits received under two Federal acts: Manpower Development and Training Act of 1962 and the Elementary and Secondary Education Act of 1965.

(Amends sec. 11008.6, Welfare and Institutions Code.)

WAGE PAYMENT AND WAGE COLLECTION

Ch. 1170 (*Approved 8/15/67; effective 11/8/67*). Requires commission wages earned by an employee of a licensed vehicle dealer to be paid once each calendar month on a designated date rather than semimonthly, unless an existing collective bargaining agreement provides otherwise.

(Adds sec. 204.1, Labor Code.)

WAGES AND HOURS—ALL WORKERS

H. Res. 515. See State Department of Labor.

WORKMEN'S COMPENSATION

Ch. 345 (*Approved 6/20/67; effective 11/8/67*).

Ch. 914 (*Approved 7/25/67; effective 11/8/67*). Authorizes governing boards of school districts to extend coverage to persons performing authorized volunteer service for the school district.

(Adds secs. 931.5 and 1019, Education Code and sec. 3364.5, Labor Code.)

COLORADO

[Regular Session: 1/4/67–5/22/67]

APPRENTICESHIP

H. 1527. See Training and Retraining.

HOURS OF WORK

H. 1202 (*Approved and effective 6/8/67*). Exempts from the women's 8-hour-day law, applicable to specified industries, those employed in bona fide executive, administrative, or professional capacities, in addition to the clerical positions, some of which are already exempt. Requires the labor department to define these occupations, taking certain factors into consideration in defining clerical positions, such as the relationship of the work to production operations.

(Repeals and reenacts sec. 80–14–10, Rev. Stats. (1963).)

OCCUPATIONAL SAFETY AND HEALTH

S. 108 (*Approved 6/8/67; effective 6/1/67*). Amends the radiation control law of 1965 under which the public health agency was designated as the radiation control agency to add to its powers the authority to acquire by gift, and to transfer lands, buildings and grounds suitable for the concentration, storage, and permanent disposal of radioactive materials. Authorizes the agency to provide for the operation of such sites by lease or license with private persons, under the agency's supervision.

(Amends sec. 66-26-3, Rev. Stats.)

PRIVATE EMPLOYMENT AGENCIES

S. 367 (*Approved 6/16/67; effective 7/1/67*). Repeals and reenacts the law to authorize its administration solely in the labor department and deletes provisions that also required local administration.

Establishes a maximum-placement fee for applicants of 20 percent of gross earnings actually received for temporary employment of not more than 40 days if discharged without cause, or 60 days if employment is voluntarily terminated with cause.

Sets a flat annual license fee of \$50 rather than from \$10 to \$50 based on population, and raises the bond to \$3,000 from \$1,000. Deletes requirement for local license and bond.

(Repeals and reenacts Art. 9, Ch. 80, Rev. Stats.)

STATE DEPARTMENT OF LABOR

S. 367. See Private Employment Agencies.

TRAINING AND RETRAINING

H. 1527 (*Approved and effective 6/12/67*). Authorizes the labor department, through the apprenticeship council, to provide voluntary on-the-job training programs for journeymen in apprenticeable occupations, and for displaced workers entering new occupations in nonapprenticeable occupations. Provides for cooperation and advice with other government agencies in carrying out such a program.

(Amends Art. 1, Ch. 9, Rev. Stats. (1963) by adding secs. 9-1-10 through 9-1-16.)

WAGE PAYMENT AND WAGE COLLECTION

S. 371 (*Approved and effective 6/12/67*). Amends the terminal pay provision to make the employer liable for wages due and an additional 50 percent of this amount where the employee quits or

is discharged and the employer refuses to pay wages due upon demand, unless there is a legal justification for such refusal. Permits deduction of any moneys owing to the employer at the time of termination of employment.

Extends coverage to all workers in domestic household service rather than only to those who are boarded or lodged by the employer. Exempts payments under deferred compensation plans, such as pension plans.

Permits 10-day holdover period for all covered employment. Formerly permitted 15 days for agriculture and domestic service employees who were boarded and lodged by the employer, and none specified for other covered employment. Retains requirement for monthly payment for all covered employment.

Prohibits employers in tipping industries from asserting a claim to employee's tips, presents, or gratuities unless they post in a conspicuous place a printed card indicating that all tips belong to the employer.

(Amends Rev. Stats., 1963, Art. 8, Ch. 80, secs. 80-8-4, 80-8-5, 80-8-9, and 80-9-13 through 80-9-17.)

WORKMEN'S COMPENSATION

H. 1267 (*Approved and effective 5/27/67*).

H. 1268 (*Approved and effective 6/9/67*). Raises maximum weekly benefits for all types of disability to \$54.25 from \$49 and the minimum for disability and death to \$13 from \$11.50. Raises maximum weekly benefits for death to a range of \$54.25-\$65.50 from a range of \$49-\$59.50, according to number of dependents; makes comparable increases in total maximum compensation payable. Increases to \$5,000 from \$3,500 the maximum medical benefits payable. Authorizes one replacement of an artificial member or prosthetic device within 2 years of injury if a person undergoes an anatomical change due to the accident. Amends the occupational disease disability act to provide comparable benefits.

(Amends Rev. Stats., 1963, secs. 81-10-1, 81-11-3, 81-11-11, 81-12-2, 81-12-3, 81-12-9, and 81-13-3, 81-18-14, 81-18-15, and 81-18-20.)

H. 1431 (*Approved and effective 6/12/67*). Specifically extends to an insured employer's carrier those sections of the workmen's compensation and occupational disease acts dealing with exclusiveness of liability under the acts and immunity from common law suit.

(Amends Rev. Stats., 1963, secs. 81-3-2 through 81-4-4, and 81-18-8.)

CONNECTICUT

[Regular Session: 1/4/67-6/7/67]

DEBT POOLING

Act 882 (*Approved 7/7/67; effective 1/1/68*). Regulates the commercial business of debt pooling, including the requirement for persons (with specified exceptions) to obtain a license, post a bond, and pay an investigation fee. Sets maximum fee charge and requires licensees to maintain records open for inspection; to remit debtor's funds to his creditors within 10 days after receipt; and give debtor a periodic accounting.

DISCRIMINATION IN EMPLOYMENT

Act 253 (*Approved 6/6/67; effective 10/1/67*). Exempts employers of less than three employees, rather than less than five, from the fair employment practices act.

(Amends sec. 31-12, Gen. Stats.)

Act 284 (*Approved 6/8/67; effective 10/1/67*). Amends a 1965 law that prohibits contractors from discrimination in employment on public works to also require the contractor to agree to furnish the civil rights commission with information on employment practices and procedures upon request.

(Amends sec. 4-114a, Gen. Stats.)

Act 426 (*Approved 6/16/67; effective 10/1/67*). Adds sex as a prohibited basis of employment discrimination. Specifies that this amendment to the antidiscrimination law shall not be construed to void or supersede any statute or regulation relating to the employment of women.

(Amends Gen. Stats. secs. 31-123 and 31-126.)

Act 636 (*Approved 6/29/67; effective 7/1/67*). Changes the name of the administrative agency to the Commission on Human Rights and Opportunities (was Commission on Civil Rights) and increases its membership from 10 to 12 members.

Establishes a permanent legislative commission to serve between sessions to study and analyze methods to secure the full realization of equal opportunities among State residents. Requires a report of its study and of necessary legislation to the general assembly by January 15 in the odd-numbered years.

Establishes a committee from the executive branch to serve as liaison between the legislative commission and the executive branch and to assure compliance by agencies with all measures concerning civil and human rights and opportunities.

(Repeals and reenacts secs. 31-122 and 31-123, Gen. Stats.)

HOURS OF WORK

Act 493 (*Approved 6/15/67; effective 7/1/67*). Enacts a separate overtime pay act of general application, covering all employees as defined in the minimum wage act. Requires payment of time and a half the employee's regular rate for work after 44 hours a week until July 1, 1968; after 42 hours until July 1, 1969; and after 40 hours thereafter. Requires the same rate of overtime pay for hospital employees, but permits employers to make computation on hours worked over a 2-week period. Provides premium pay after 48 hours for employees in hotels, motels, restaurants, bowling establishments, and other health-care facilities.

INDUSTRIAL RELATIONS

Act 354 (*Approved 6/13/67; effective 10/1/67*). Authorizes temporary increases in the membership of the labor relations board to meet emergency situations.

Act 483 (*Approved 6/15/67; effective 10/1/67*). Requires complainants in temporary injunction suits involving a labor dispute to show, in addition to other conditions, that public officers are not able or willing to protect the complainant's property.

(Amends sec. 31-115, Gen. Stats.)

Act 488 (*Approved 6/15/67; effective 10/1/67*). Prohibits the use of polygraph examinations (lie-detector tests) as a condition of obtaining or of continuing in employment. Exempts employment in State local police departments, but specifically applies to civilian employees of these departments and to all employees of the State and its political subdivisions.

Act 491 (*Approved and effective 6/16/67*).

Act 708 (*Approved 6/28/67; effective 10/1/67*). Amends the municipal employees labor relations act. Requires a labor organization to be in existence at least 6 months prior to petitioning for exclusive recognition or for participating in a recognition election.

Defines criteria to be used in determining whether or not a supervisory position comes under coverage of the act. Provides that if the employee organization has exclusive recognition, professional employees may join an overall unit if a majority of them agree.

Makes the services of the State board of mediation and arbitration available to arbitrate disputes if requested by both parties. Sets a time limit for final decision of the arbitration panel.

Makes agreements on methods of coverage or removal of coverage under the retirement system prevail over any conflicting statute, ordinance, or regulation. Provides that no general statute,

charter, special act, or ordinance shall prevent negotiations between parties involving an employee organization recognized as an exclusive representative from continuing after the final date for making municipal budgets; permits retroactive provisions. Adds as prohibited practices the failure of the municipal employer to request funds necessary to implement a written agreement or to request approval of the legislature of any agreement which conflicts with laws or regulations.

Act 497 (*Approved 6/15/67; effective 10/1/67*). Extends the labor relations act to employees of licensed hospitals, and other health-care facilities, as well as to those of private charitable and educational agencies. Exempts those with professional licenses in medicine, surgery, and dentistry except when employed by the State or any political subdivision. Makes the services of the arbitration and mediation board available in disputes involving these employees. Prohibits strikes and lockouts, but permits employees to publicize (except by picketing) the existence of disputes or grievances.

(Amends secs. 31-101 and 31-106, Gen. Stats.)

Act 509 (*Approved and effective 6/20/67*). Prohibits the recruitment or referral of professional strikebreakers as strike or lockout replacements by persons not directly interested in the strike or lockouts; prohibits professional strikebreakers from replacing or offering to replace an employee on strike or locked out. Defines professional strikebreakers to mean a person who has been employed two times or more as a strike or lockout replacement in the same craft or industry.

Act 732 (*Approved 7/6/67; effective 10/1/67*). Repeals law requiring registration and filing of financial reports of employee health and welfare funds.

(Repeals secs. 31-78 to 31-83, incl., and 31-85 to 31-89, incl., Gen. Stats. and sec. 31-84 of the 1965 Supp.)

OCCUPATIONAL SAFETY AND HEALTH

Act 441 (*Approved 6/16/67; effective 10/1/67*). Requires basements, in addition to each floor, of a building used as a workshop to be provided with two remote means of exit. Permits the labor commissioner to waive the requirement for a second exit, after taking into consideration certain factors, if reasonable safety is otherwise assured. Prohibits fire escapes from being used as an exit on buildings constructed after the effective date of this act.

(Amends sec. 19-387a, Gen. Stats. 1965 Supp.)

Act 442 (*Approved 6/16/67; effective 10/1/67*). Authorizes the labor commissioner to grant a variance in the temperature re-

quirement when the nature of the business would not permit maintenance of at least 68 degrees Fahrenheit.

(Amends sec. 19-65, Gen. Stats.)

Act 444 (*Approved 6/16/67; effective 10/1/67*). Makes the requirement for reporting to the labor commissioner accidents resulting in serious physical injury applicable to any establishment or workplace. Formerly, applicable only to manufacturing or mercantile establishments.

(Amends sec. 31-40, Gen. Stats.)

Act 550 (*Approved and effective 6/20/67*). Authorizes the Governor to enter into Federal-State agreements for the transfer of certain Federal radiation control responsibilities, but specifies that existing provisions requiring the registration of sources of ionizing radiation are deemed to satisfy the licensing requirement until such agreements are executed.

(Repeals and reenacts secs. 29-77 to 29-82, incl., Gen. Stats.; repeals sec. 19-26a; adds new sections.)

Act 572 (*Approved 6/20/67; effective 7/1/67*). Requires the State Board of Education to make regulations on the use of devices for eye protection in laboratories and workshops of all elementary and secondary schools, including regional vocational technical schools.

OLDER WORKERS

Act 253. See **Discrimination in Employment.**

WAGE PAYMENT AND WAGE COLLECTION

Act 641 (*Approved 6/27/67; effective 10/1/67*). Gives labor organizations the right to institute civil action to enforce an arbitration award which requires an employer to pay an employee in full or to make payments into an employee welfare fund.

(Repeals and reenacts sec. 31-72, Gen. Stats.)

Act 714 (*Approved 6/28/67; effective 10/1/67*). Adds to the law requiring weekly payment of wages, requirements for payment in lawful money or by negotiable check, and payment on the next regular payday if employment terminated for any reason. Prohibits the employer, except upon written authorization by the employee, from withholding any portion of an employee's wages unless required by law.

(Repeals and reenacts sec. 31-71, Gen. Stats.)

WAGES—MISCELLANEOUS

Act 727 (*Approved and effective 7/6/67*). Permits State officers

and employees to make a written authorization for deductions from wages to pay contributions to a united fund, as defined.

WAGES—PREVAILING WAGES

Act 494 (*Approved 6/15/67; effective 10/1/67*). Adds a definition of "employee welfare fund" for purposes of wage determinations. (Formerly, the definition was included by reference to provisions in the recently repealed laws regulating labor organizations that administer such funds.) (See Act 732, p. 32.)

(Amends secs. 31-53 and 31-54, Gen. Stats. 1965 Supp.)

WAGES—PUBLIC WORKS

Act 284. See **Discrimination in Employment.**

Act 757 (*Approved 7/6/67; effective 10/1/67*). Makes more explicit the administrative and enforcement provisions on employment preference requirements for State residents on public buildings. Adds similar, but not identical, employment preference provisions for State residents on other public works. Makes all preference requirements inapplicable where they would cause forfeiture of Federal funds.

(Amends sec. 31-52, Gen. Stats.)

WAGES—WAGE GARNISHMENT

Act 496 (*Approved 6/1/67; effective 10/1/67*). Prohibits discipline, suspension, or discharge because of wage garnishment or attachment, except for more than seven such garnishments or attachments in 1 calendar year. Makes an employer in violation liable for lost wages and benefits up to time of reinstatement. Increases amount of weekly wages exempt from garnishment to \$65 plus taxes from \$50 plus taxes (for debtors who fail to make court-ordered payments on judgments).

(Amends sec. 52-361, Gen. Stats. 1965 Supp.)

WAGES AND HOURS—ALL WORKERS

Act 484 (*Approved and effective 6/15/67*). Deletes the broad exemption for employees subject to the Fair Labor Standards Act, limiting it only to those in a manufacturing establishment.

(Amends sec. 31-58, Gen. Stats.)

Act 492 (*Approved 6/15/67; effective 7/1/67*).

Act 565 (*Approved 6/20/67; effective 7/1/67*). Increases minimum rate from \$1.25 an hour to \$1.40, and to \$1.60 effective January 1, 1968. Raises also the maximum allowance for gratui-

ties from 45 to 47 cents, then to 50 cents an hour. Reduces from 500 to 200 the number of hours of employment during which subminimum rates are permitted for learners, beginners, and persons under 18 years of age.

(Amends secs. 31-58 and 31-60, Gen. Stats.)

WORKMEN'S COMPENSATION

Act 242 (*Approved 6/2/67; effective 10/1/67*). Requires the employer to pay the attorney's fees in contested cases, which are decided in favor of the employee.

(Amends sec. 31-298, Gen. Stats.)

Act 569 (*Approved 6/20/67; effective 7/1/67*). Creates a rehabilitation division to establish statewide rehabilitation programs for workers with compensable injuries to be financed by payment from insurers. Authorizes the rehabilitation director to develop matching programs to secure Federal funds for this purpose, and to enter into agreements with other State or Federal agencies.

Act 660 (*Approved 6/27/67; effective 10/1/67*). Considers the high sheriff, chief deputy sheriff, deputy sheriff, or special deputy sheriff as employees of the State for purposes of the workmen's compensation law; and makes them eligible for benefits in case of death or disability while in performance of duty.

Act 842 (*Approved 7/7/67; effective 10/1/67*). Makes comprehensive amendments: Eliminates numerical exemption for employers of two employees or more. Increases maximum benefits for all types of disability and death by providing benefits up to 66-2/3, instead of 60, percent of the worker's average weekly wage; and up to 60, instead of 55, percent of the State's average production wage. Lengthens the benefit period for certain schedule injuries. Adds dependency allowances to injured workers for each child under 18 or incapacitated of \$5 a week up to 50 percent of the weekly benefits (exclusive of allowance) but not more than 75 percent of the worker's average wage. Increases benefits for present beneficiaries by an amount equal to the percentage gain in the average wage of covered workers, and provision was made for adjusting benefits based on the changes in the cost of living. Authorizes the commissioner to extend the benefits of workers who have exhausted their benefits for schedule injuries.

Increases burial allowance to \$1,000 from \$500. Doubles the minimum balance in the second-injury fund to \$100,000 and newly provides death benefits for a second injury, payable the first

104 weeks by the employer, thereafter by the second-injury fund. Increases rehabilitation benefits to \$40 from \$15 a week.

(Amends secs. 31-275, 31-279, 31-284, 31-293, 31-295, 31-297 through 31-300, 31-306 through 31-311, 31-325, 31-349, 31-354, Gen. Stats. and sec. 31-294, 1965 Supp. to Gen. Stats.)

Act 892 (*Approved 7/1/67; effective 10/1/67*). Brings active members of municipal volunteer fire departments under the act.

(Amends secs. 7-314 and 7-322a; repeals secs. 7-315 through 7-323, Gen. Stats.)

DELAWARE

[Regular Session: 1/3/67-]

WAGES AND HOURS—ALL WORKERS

H. 45 (*Approved 11/22/67; effective 2/1/68*). Raises the minimum wage rate to \$1.25 from \$1.00 an hour.

FLORIDA

[Regular Session: 4/4/67-7/14/67]

[First Special Session: 1/9/67-1/28/67]

[Second Special Session: 7/24/67-7/27/67]

[Third Special Session: 7/31/67-8/18/67]

[Fourth Special Session: 8/21/67-9/1/67]

CHILD LABOR AND SCHOOL ATTENDANCE

S. 42-XX (*Law without approval 8/17/67; effective 9/12/67*). Reduces the age from 18 to 17 for employment in a retail or in a food service establishment where alcoholic beverages are sold (but retained the 21-year minimum for the handling of such beverages); and for out-of-school youth in employment as a professional entertainer or work in drugstores, grocery stores, or automobile service stations licensed to sell beer and wine for off-premises consumption.

(Amends F.S.A. sec. 562.13.)

S. 78 (*Approved 4/19/67*).

S. 79 (*Approved 4/19/67*). Removes provision added in 1959 under which a child could be withdrawn from a school in which the races are commingled.

(Amends F.S.A. sec. 232.01.)

INDUSTRIAL RELATIONS

S. 891 (*Law without approval 7/8/67; effective 9/12/67*).

S. 938 (*Law without approval 7/14/67; effective 9/12/67*).

S. 1697 (*Law without approval 8/14/67*). Grants firefighters

the right to organize, to bargain collectively, and to be represented by a vocational organization which shall be recognized as the exclusive bargaining agent for all classified members of the fire department. Makes the law applicable to permanent paid members of any fire department in any county of the State having a population of not less than 400,000 nor more than 900,000. Permits collective bargaining to include wages, rates of pay, or other matters requiring appropriation of money.

Requires unresolved issues to be submitted to a three-member arbitration board, whose majority decision shall be advisory. Requires that negotiated bargaining agreements specifically provide that firefighters shall have no right to engage in a work stoppage, slow-down, or strike. Sets an expiration date of July 1, 1969, unless reenacted by the 1969 legislature.

H. 1450 (*Law without approval 6/14/67; effective 9/12/67*). Prohibits the city commission of the city of Sanford from recognizing or bargaining with any labor organization purportedly representing municipal employees.

(Enacts sec. 176.5, F.S.A.)

OCCUPATIONAL SAFETY AND HEALTH

S. 300 (*Law without approval 5/31/67; effective 9/12/67*). Amends the law permitting boards of public instruction to furnish or sell eye-protective devices at cost to students and teachers to prohibit such devices to be prescription glasses or lenses.

(Amends sec. 232.45, F.S.A. 1965.)

PRIVATE EMPLOYMENT AGENCIES

S. 550 (*Approved 7/27/67; effective 10/1/67*). Raises the annual license fee of an emigrant or labor agent from \$500 to \$1,500 for each county in which he does business and deletes the requirement of a State license fee of \$1,000.

(Amends sec. 205.331, F.S.A.)

H. 1101 (*Approved 8/1/67; effective 7/1/67*). Prohibits an agency from requiring an applicant to subscribe to a resumé service as a condition of receiving agency service. Requires each agency to be under the supervision of a licensed agent and permits revocation or suspension of a license for failure to supervise any agency.

(Amends secs. 449.02, 449.05, 449.022, F.S.A.)

WORKMEN'S COMPENSATION

H. 135 (*Approved 6/26/67; effective 9/12/67*). Increases maximum weekly benefits for all types of disability and death to \$49

from \$42. Sets aggregate maximum of \$15,000 for death benefits, in addition to the 350-week limit on the benefit period as before.

H. 770 (*Law without approval 5/29/67; effective 9/12/67*). Authorizes county commissioners in Lake County to require every applicant requesting a permit to engage in designated building and construction trades to show proof that requirements of the workmen's compensation law have been met.

MISCELLANEOUS

H. 958 (*Law without approval 6/1/67; effective 7/1/67*). Requires operators of detecting truth or deception (lie detector) instruments to obtain a license and to meet specified requirements.

(Adds Part II, Ch. 493, secs. 493.40 to 493.55, incl., F.S.A.)

GEORGIA

[Regular Session: 1/9/67-3/17/67]

CHILD LABOR AND SCHOOL ATTENDANCE

H. Res. 178 (*Approved and effective 4/18/67*). Creates a nine-member legislative and academic committee to study problems of school dropouts and to report its findings and recommendations for legislation by December 1, 1967.

WORKMEN'S COMPENSATION

H. Res. 228 (*Adopted 3/17/67*). Following recommendations of a 1966 legislative committee, a committee was created this year to make a comprehensive study of the workmen's compensation law and to recommend revisions in a written report to the legislature, to be submitted not later than December 1, 1968.

HAWAII

[Regular Session: 2/15/67-5/1/67]

AGRICULTURAL WORKERS

Act. 164. See **Child Labor and School Attendance.**

H. Res. 228 (*Adopted 3/17/67*). Following recommendations of agriculture and of labor, and the University of Hawaii to study the diversified agricultural industry, its labor situation, and the effects of overtime and wage increases on the industry. Also requests the cooperation of farmowners in the study. Requires a

report of findings and recommendations for legislation to the 1968 session.

APPRENTICESHIP

Act 20 (*Approved and effective 4/21/67*). Deletes the 16-year minimum age requirement and the specific requirement for at least 4,000 hours of reasonably continuous employment in an apprenticeship program. Allows credit to an apprentice for his past training and experience before completion of his probationary period if the granting of the credit is recommended by his employer or the joint apprenticeship committee.

(Amends secs. 89-2 through 89-8, Rev. Laws (1955).)

CHILD LABOR AND SCHOOL ATTENDANCE

Act 164 (*Approved and effective 5/29/67*). Extends the expiration date 2 years (to June 30, 1969) during which time the labor director may permit minors under 14 to work outside school hours in the harvesting of coffee.

(Amends sec. 88-2, Rev. Laws (1955).)

DEBT POOLING

Act 3 (*Approved and effective 3/30/67*). Prohibits the commercial business of debt adjusting, with certain exemptions.

INDUSTRIAL RELATIONS

Act 18 (*Approved and effective 4/21/67*). Amends the anti-strikebreaker provisions applicable during labor disputes to specifically require persons advertising for employees through newspapers, letters, radio, television, or an employment agency to identify the employer and to explicitly state that a labor dispute exists.

(Amends Ch. 90C, Rev. Laws (1955).)

Act 253 (*Approved and effective 6/6/67*). Clarifies the exemption from the labor relations act for persons in an executive or supervisory capacity to specifically exclude from the exempt group supervised, hourly paid registered nurses.

(Amends sec. 90-2, Rev. Laws (1955).)

Act 287 (*Approved and effective 6/8/67*). Amends the civil service act to strengthen the rights of State and county government employees by specifically granting them the right to join or to refrain from joining any employee organization which does not assert the right to strike against the government. Requires each department to consult with its employees or their organization when formulating or before changing policies and practices

affecting working conditions. Permits written statements of understanding to be prepared by mutual consent of a department and its employees. Requires employee-management relations to be consistent with the civil service system. (Previously, the law required only that membership in an employee organization would not result in reduction in rank or pay or removal from civil service and assured the individual or group the right to present grievances.)

(Amends sec. 3-80, Rev. Laws (1955).)

OCCUPATIONAL SAFETY AND HEALTH

Act 12 (*Approved and effective 4/17/67*). Authorizes agreements for transfer to the State of certain Federal radiation control responsibilities.

(Amends Ch. 46, Rev. Laws (1955).)

Act 74 (*Approved and effective 5/15/67*). Prohibits the discharge of any worker for refusal to work with unsafe machinery or equipment, or in violation of the safety law or regulations.

(Adds sec. 96-12, Rev. Laws (1955).)

S. Res. 200 (*Adopted 4/26/67*). Requests the health agency to study and review its safety regulations with a view toward making revisions to meet current working needs.

PRIVATE EMPLOYMENT AGENCIES

Act 44 (*Approved and effective 5/4/67*). Exempts from the emigrant agent act a person in recruitment activities among college students or graduates, provided he has notified the school of his intentions; and among employees for professional, managerial, or specialized work.

(Amends sec. 98-1, Ch. 98, Rev. Laws (1955).)

STATE DEPARTMENT OF LABOR

H. Res. 212. See Agricultural Workers.

TRAINING AND RETRAINING

Act 198. See Miscellaneous.

WAGE PAYMENT AND WAGE COLLECTION

Act 11 (*Approved and effective 4/6/67*). Requires payment of unpaid wages and specified fringe benefits (not exceeding \$1,000) within 30 days after an employee's death to a surviving spouse or adult child upon application to the employer and proof of relationship.

(Amends Ch. 95, Rev. Laws (1955).)

Act 13 (*Law without approval and effective 4/17/67*). Changes maximum amount of claims for wages which must be paid to each employee prior to any other claims to \$600 earned within 1 year of the date the employer's business is suspended or placed in receivership (was \$300 earned in 6 months).

(Amends sec. 95-10, Rev. Laws (1955).)

Act 211 (*Approved and effective 6/4/67*). Clarifies provision relating to wage payments to employees serving on juries or public boards. Specifies that service on a public board means attendance at any meeting on the business of the public board, as well as the regularly scheduled meetings as now.

(Amends sec. 95-25, Rev. Laws (1955).)

WAGES—WAGE GARNISHMENT

Act 22 (*Approved and effective 4/24/67*). Prohibits an employer from suspending or discharging an employee solely because of garnishment or because the employee has filed for a wage earner plan under Chapter XIII of the Federal bankruptcy law. Provides that an aggrieved employee may file a complaint with the labor department, which, after a hearing, may order job reinstatement with or without backpay, or backpay without reinstatement. Authorizes the department to petition the circuit court for enforcement of an order from which no appeal has been taken.

(Adds secs. 90A-30 through 90A-37, Rev. Laws (1955).)

WAGES—PREVAILING WAGES

Act 242 (*Approved and effective 6/6/67*). Requires parties to a collective bargaining agreement covering workers for whom prevailing wage determinations are made to submit a copy of the agreement to the labor department within 5 days after execution.

(Adds sec. 9A-10, Rev. Laws (1955).)

WAGES AND HOURS—ALL WORKERS

Act 198. See **Miscellaneous.**

H. Res. 212. See **Agricultural Workers.**

WORKMEN'S COMPENSATION

Act 88 (*Approved 5/20/67; effective 7/1/67*). Requires that where a public officer or employee is eligible for benefits, he shall receive temporary total disability benefits plus the difference between his salary and the temporary total disability benefits if he has the accumulated sick leave allowance to cover the difference.

(Adds a new section following Ch. 5-39, Rev. Laws (1955).)

Act 138 (*Approved 5/29/67; effective 7/1/67*). Raises aggregate maximum benefits for all types of disability to \$35,100 from \$25,000.

(Amends secs. 97-30 and 97-31, Rev. Laws (1955).)

Act 139 (*Approved and effective 5/29/67*). Provides that an individual's computed average weekly wage shall be at least 35 times his hourly rate of pay, for purposes of determining benefits.

(Amends sec. 97-50, Rev. Laws (1955).)

Act 213 (*Approved and effective 6/4/67*). Grants alien dependents residing outside the United States the same privileges and benefits as United States dependents. Retains requirements of annual proof of dependency.

(Amends sec. 97-41, Rev. Laws (1955).)

Act 257 (*Approved and effective 6/6/67*). Extends duration of dependency benefits to age 20 from 18 for an unmarried child who is a full-time student.

(Amends secs. 97-41 and 97-42, Rev. Laws (1955).)

MISCELLANEOUS

Act 198 (*Approved 6/4/67; effective 7/1/67*). Provides appropriations for a number of studies including the effect of the minimum wage law upon the economy; and a planning and economic development program to augment the State's skills and resources with Federal funds.

IDAHO

[Regular Session: 1/2/67-3/31/67]

[First Special Session: 6/19/67-6/23/67]

DISCRIMINATION IN EMPLOYMENT

Ch. 64 (*Approved 3/8/67; effective 5/31/67*). Amends the anti-discrimination law to prohibit discrimination in employment because of sex, except where sex is a bona fide occupational qualification.

(Amends secs. 18-7301 and 18-7303, Idaho Code.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 139 (*Approved 3/17/67; effective 7/1/67*). Repeals 1961 radiation control act and reenacts a comprehensive law. Designates the Board of Health as the State Radiation Control Agency, instead of former joint responsibility by labor department and industrial accident board. Adopts the standardized recordkeeping requirements, including personnel monitoring. Creates a State

Nuclear Energy Commission with overall coordinating and review power over other State agencies in the development and regulation of nuclear energy. Authorizes Federal-State agreements for the transfer of certain responsibilities to the State.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 436 (*Approved 4/12/67; effective 7/1/67*). Enacts a comprehensive wage payment and wage collection law to supplement limited requirements for payment in lawful money and payment on demand in discharge cases. Requires payment of wages at least monthly; permits a 7-day holdover. Prohibits deductions except as required by law or written authorization of employee. Requires employer to keep payroll records and to furnish employee with statement of deductions each pay period. In judgment cases, entitles an employee to three times the unpaid wages and reasonable court costs. Authorizes the labor commissioner to administer and enforce the act, to investigate violations, to enter and inspect places, and gives him authority to take assignment of wage claims up to \$250.

WAGES AND HOURS—ALL WORKERS

Ch. 411 (*Approved 4/11/67; effective 5/31/67*). Increases the minimum wage rate to \$1.15 from \$1.00 an hour beginning February 1, 1968, and to \$1.25 on February 1, 1969. Adds an exemption for minors under 16 who work not more than 4 hours a day for one employer.

(Amends secs. 44-1502 and 44-1504, Idaho Code.)

WORKMEN'S COMPENSATION

S. 20 (*Approved 3/28/67; effective 7/1/67*). Increases weekly benefits for temporary total and permanent total disability. For instance, increases the minimum and maximum weekly benefits to \$20 and \$37 respectively, for a worker without dependents, and the weekly minimum and maximum to \$25 and \$43 for a worker with a dependent wife, plus \$5 (instead of \$4) for each dependent child up to \$20 a week for four children or more.

(Amends sec. 72-310(a), Idaho Code.)

Ch. 162 (*Approved 3/21/67; effective 7/1/67*). Raises the minimum and maximum weekly benefits to \$22 and \$37 respectively, for schedule permanent partial injuries.

Provides that in cases of nonschedule permanent partial injury, compensation shall bear such relation to total disability (400 weeks) or, relation to disability to schedule injuries as before.

(Amends sec. 72-313, Idaho Code.)

Ch. 241 (*Approved 3/29/67; effective 5/31/67*). Provides that no action or proceeding to recover for an ionizing radiation injury

may be brought more than 3 years after the person had or ought to have had knowledge of the injury, but in no event more than 30 years from the date of the last occurrence to which the injury is attributed; and that no action shall be barred for latent ionizing radiation by recovery in an earlier proceeding, unless the person was awarded damages for the latent injury or knew or should have known of the latent damage.

Ch. 234 (*Approved 3/29/67; effective 5/31/67*). Reenacts with some modification the silicosis provisions of the occupational disease law as they existed prior to the 1965 amendments; for example, reenacted a disallowance for partial disability compensation and the provision making the last employer liable. Increases to \$5,000 from \$750 the maximum amount payable as "support money" to employees who have quit or been discharged because of nondisabling silicosis, pending change of employment. Newly provides that employer is not liable for compensation unless disability or death results within 4 years and within 1 year in case of any other occupational disease after last injurious exposure.

(Amends secs. 72-1207, 72-1209, 72-1216, 72-1217, and 72-1228; adds secs. 72-1218 and 72-1224; repeals sec. 72-1217A, Idaho Code.)

ILLINOIS

[Regular Session: 1/4/67-10/19/67]

APPRENTICESHIP

H. 280. See **Discrimination in Employment.**

H. 1251 (*Approved and effective 8/21/67*). Requires the school board to permit all students to enroll in apprenticeship programs in trade schools operated by the board whether or not the programs are union-sponsored.

(Amends sec. 34-18, School Code, Ill. Ann. Stat.)

CHILD LABOR AND SCHOOL ATTENDANCE

S. 1368 (*Approved and effective 7/19/67*). Exempts minors 13 years of age in caddying at a golf course outside school hours from all provisions of the child labor law.

(Amends sec. 31.2 Ch. 45, Ill. Rev. Stat.)

S. 1496 (*Approved and effective 8/11/67*). Permits school districts to operate schools on a quarterly basis during an entire calendar year with attendance required during any 3 consecutive

quarters. Permits attendance by any child reaching 6 years of age within 30 days after a quarter begins. (Teachers will not be required to teach more than 3 consecutive quarters.)

(Amends secs. 10-19, 10-20.12 and 26-1; adds sec. 10-19.1, School Code, Ill. Ann. Stat.)

DISCRIMINATION IN EMPLOYMENT

S. 985. See **Older Workers.**

H. 279 (*Approved 8/11/67; effective 7/1/68*). Amends the definition of employer to include any person employing 25 persons or more prior to July 1, 1968, rather than 50 or more as before. Retains the provision requiring that the only employees to be counted for this purpose are those employed during 20 weeks or more within any calendar year. Removes the numerical exemption for employers of employees in State and local governmental units.

(Amends sec. 852.2(c), Ch. 48, Ill. Rev. Stat.)

H. 280 (*Approved and effective 8/11/67*). Amends the anti-discrimination law to include as an unfair employment practice the acceptance by any employment agency of a job order or referral of applicants for employment or apprenticeship which makes, or has the effect of making, race, color, religion, national origin, or ancestry a condition of referral, except for a bona fide occupational qualification.

(Amends sec. 853.3, Ch. 48, Ill. Rev. Stat.)

HOURS OF WORK

S. 1749 (*Approved and effective 8/3/67*). Amends maximum hours provision for females in occupations other than mercantile to permit work up to 9 hours, instead of 8, without the need for time off during the workweek, unless the employee requests time off or such deduction is necessary to prevent weekly hours from exceeding 48.

(Amends secs. 5a(1½) and (2), Ch. 48, Ill. Rev. Stat.)

H. 393 (*Approved and effective 8/3/67*). Exempts from maximum hours provision (8-hour day, 48-hour week) females employed in a professional, executive, or administrative capacity and their assistants, as defined.

Amends sec. 5a(1½) and adds sec. 5a(2), Ch. 48, Ill. Rev. Stat.)

INDUSTRIAL RELATIONS

S. 63 (*Approved 6/29/67; effective 7/1/67*). Makes it unlawful to picket around the residence or dwelling of any person, except

when such place is used as a place of business. Provides, however, that the act does not prohibit the peaceful picketing of a place of employment involved in a labor dispute.

(Enacts Art. 21.1, Ill. Rev. Stat., Criminal Code of 1961.)

H. 623 (*Approved and effective 8/7/67*). Amends the anti-injunction law. Prohibits the issuance of a temporary restraining order without prior notice to the adverse party unless it can be shown from the facts that immediate and irreparable injury or damage will result to the applicant before notice can be served.

Exempts any governmental office or agency from the bond requirement before a restraining order or any injunction may be issued.

(Amends secs. 3, 8, and 9 and adds sec. 3-1, Ch. 48, Ill. Ann. Stat., 1966 pocket part.)

OCCUPATIONAL SAFETY AND HEALTH

S. 984 (*Approved and effective 8/11/67*). Requires every operator of a laser system, as defined, to register with the health department prior to January 1, 1968; such registration to remain in effect until there is a substantial change in the installation which might increase or decrease the number of sources, source strength, output or energy of radiation produced. Requires operators of such systems to notify the department of any accidental injury. Authorizes it to issue enforcement rules and to inspect premises to study the potential health hazard.

H. 1376 (*Approved 6/21/67; effective 1/1/68*). Provides for entrance into the Midwest Nuclear Compact. Specifies that any or all of 13 named Midwest States are eligible for membership, and entry by six States activates the Compact. Creates the Midwest Nuclear Board composed of one representative from each member State.

The Compact, similar in nature to the Southern Compact activated several years ago, included a declaration that the proper employment of nuclear energy can assist substantially in the industrial progress of the Midwest and that optimum benefit from acquisition of nuclear resources requires systematic encouragement and promotion from the party States on a cooperative basis. (See footnote 5, page 8 for list of eligible States.)

H. 1389 (*Approved 9/8/67; effective until 7/1/69*). Creates the Illinois Commission on Atomic Energy and directs it to study the economic and social impact on industry and State citizens of the peaceful use of atomic energy and other radiation sources. Requires it to submit a report of its findings, together with any legislative recommendations, to the Governor and the legislature not later than April 1, 1969.

OLDER WORKERS

S. 294. See **Training and Retraining**.

S. 985 (*Approved and effective 7/26/67*). An act to prohibit discrimination in employment because of age. Declares that hiring bias against workers over 45 years of age deprives the State of its most important resources of experienced employees.

Makes it an unlawful employment practice for an employer (defined as a person or governmental unit employing one individual or more) to discriminate in employment because of an individual's age except where the consideration of safety makes it impractical to train an applicant over 45 years of age for a particular job; or to utilize any employment agency, placement service, training school, labor organization, or other source which so discriminates.

Makes it an unlawful employment practice for a labor organization to discriminate or classify its membership on the basis of age.

Provides that the act does not affect a retirement system that is not a subterfuge to evade the act, does not preclude the varying of insurance coverage according to age, and shall not be construed to prevent any governmental agency from operating a compulsory retirement program.

PRIVATE EMPLOYMENT AGENCIES

S. 280. See **Discrimination in Employment**.

S. 667 (*Approved 7/26/67*). Exempts from the definition of employment agency any person engaged as management consultant or management executive recruiter who is compensated wholly by the employer to identify or recommend individuals who earn not less than \$15,000 a year. Specifies that no person so identified or recommended shall be charged any fee in connection therewith, for preparation of any resumé, or on account of any other personal service performed by the person engaged in such business.

(Amends sec. 11, Ch. 48, Ill. Rev. Stat.)

S. 985. See **Older Workers**.

STATE DEPARTMENT OF LABOR

S. 606 (*Approved and effective 7/17/67*). Transfers the administration of the State economic opportunity act of 1965 to the labor department from the Department of Business and Economic Development. Eliminates the 13-member interagency council. (The 1965 act created the State Office of Economic Opportunity, the purpose of which is to cooperate with the Federal Office of Economic Opportunity to see that the State receives maximum

benefits under the Federal act. It also created a 20-member Citizen's Advisory Committee.)

TRAINING AND RETRAINING

S. 294 (*Approved and effective 4/11/67*). Broadens participation by public aid recipients in training programs by including also the aged, the blind, and the disabled; and requires participation in such programs on a local basis.

(Amends Arts. III through VIII and XI, Public Assistance Code, Chs. 22 and 23, Ill. Rev. Stat.)

S. 606. See **State Department of Labor.**

S. 1497 (*Approved and effective 9/8/67*). Creates a 15-member Commission on Technological Progress (to function until July 1, 1969) to study the impact of technological changes upon the State's employment, industrial relations, educational, and economic problems, including future work-force requirements and the need of job training and retraining required to meet those requirements. Directs the Commission to report to the legislature its findings and recommendations for legislation not later than February 1, 1969.

WAGES—WAGE GARNISHMENT

S. 33 (*Approved and effective 7/26/67*). Increases the amount of wages exempt from collection under a wage deduction order from \$45 per week for all persons to \$65 for a family head and \$50 for other persons or, as before, 85 percent of gross wages, whichever is greater, not to exceed \$200 per week.

(Amends sec. 3(73), Ch. 62, Ill. Rev. Stat.)

WAGES—PREVAILING WAGES

H. 136 (*Approved and effective 7/31/67*). Amends the definition of prevailing wages to include, in addition to cash wages, fringe benefits for health and welfare, insurance, vacations, and penalties.

(Amends sec. 2(39s-2), Ch. 48, Ill. Rev. Stat.)

WORKMEN'S COMPENSATION

H. 177 (*Approved 4/19/67; effective 7/1/67*). Provides the same occupational disease benefits for persons of civil defense mobile teams as provided State employees; such people already receive the same injury benefits as State employees.

(Amends secs. 276, 277, and 279, Ch. 127 (State Government), Ill. Rev. Stat.)

MISCELLANEOUS

S. 529 (*Approved 9/8/67*). Creates an 18-member status of women commission to study and make recommendations in certain areas relating to women, including employment policies and practices and State labor laws.

H. 2074 (*Approved and effective 9/1/67*). Repeals the exemption from the licensing provision for persons who administer lie-detector tests not more than 20 days a year.

(Repeals sec. 202-5, Smith-Hurd, Ch. 38, Ill. Ann. Stat.)

H.J. Res. 66 (*Adopted 5/3/67*). Urges the State employment service to sponsor and provide an annual training conference for the local veteran employment representatives to better equip them to render adequate and satisfactory training and job assistance services to the returning Vietnam veterans.

INDIANA

[Regular Session: 1/5/67-3/6/67]

AGRICULTURAL WORKERS

Ch. 217. See **Child Labor and School Attendance.**

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 217 (*Approved 3/10/67; effective 7/26/67*). Sets uniform hours-of-work standards for boys and girls of 16 and 17: reduces maximum workweek to 40 hours for girls and extends it also to boys; extends the 9 p.m. quitting time for girls to 10 p.m. by prohibiting employment of both sexes after 10 p.m. before schooldays, and permitting them to work until midnight before non-schooldays with parental consent. Sets a maximum 3-hour day, 23-hour week during school weeks for children under 16. Raises the minimum age to 18 from 16 for employment in specified hazardous occupations, and incorporates the Federal hazardous-occupations orders for minors under 18. Sets a 10-year minimum age for nonresident child workers in agriculture during school hours.

(Amends secs. 28-518, 28-521, 28-523, Burns Ind. Stat. Ann.)

DISCRIMINATION IN EMPLOYMENT

Ch. 276 (*Approved 3/11/67; effective 7/26/67*). Amends the antidiscrimination law which applies to housing, education, public accommodation, and employment to authorize enactment of local

ordinances prohibiting discrimination and creating local enforcement agencies; provides for reciprocal administration.

(Amends secs. 40-2308, 40-2309, 40-2312, 40-2317, Burns Ind. Stat. Ann.)

WAGES—EQUAL PAY

Ch. 153. See **Wages and Hours—All Workers.**

WAGES AND HOURS—ALL WORKERS

Ch. 153 (*Approved 3/8/67; effective 4/1/67*). Increases the minimum wage from \$1.00 to \$1.15 an hour, effective January 1, 1968; and to \$1.25 on July 1, 1968. Adds exemptions, among which are employers subject to the minimum wage provisions of Fair Labor Standards Act, and persons employed for not more than 20 weeks in any four consecutive 3-month periods. Adds an equal pay provision prohibiting discrimination in pay based on sex.

(Amends Acts 1965, Ch. 134.)

WAGES—MISCELLANEOUS

Ch. 104 (*Approved 3/7/67; effective 7/26/67*). Amends the law under which wages due employees are treated as preferred credit by decreasing the work period to 3 months preceding the seizure of an employer's property and by increasing the maximum amount of wages treated as preferred debts to \$600.

(Amends sec. 40-111, Burns Ind. Stat. Ann.)

WORKMEN'S COMPENSATION

Ch. 312 and Ch. 313 (*Approved 3/11/67; effective 4/1/67*). Amends both the workmen's compensation and occupational diseases acts. Increases to \$51 from \$45 the maximum weekly benefits for death and all types of disability, by increasing to \$85 from \$75 the maximum average weekly wages to be used in computing benefits. Increases the total maximum compensation to \$25,000 from \$20,000. Increases maximum burial allowance to \$1,000 from \$750.

Conforms the occupational diseases act to a 1965 change in the workmen's compensation act by extending to 450 from 400 weeks the maximum period payable for death.

(Amends secs. 40-2207, 40-2207d, 40-2211, 40-1404, and 40-1405, Burns, Ind. Stat. Ann.)

IOWA

[Regular Session: 1/9/67-7/2/67]

CHILD LABOR AND SCHOOL ATTENDANCE

H. 178. See *Migratory Workers*.

DEBT POOLING

H. 284 (*Approved 6/27/67; effective 7/1/67*). Regulates the business of debt management, making certain requirements for the "debt pooler," including a license, a bond, and an investigation fee. Requires him to send the debtor's funds to his creditors at least within 30 days after receipt, to give a monthly statement to the debtor, and to maintain records open for inspection. Limits the fee charge for services.

INDUSTRIAL RELATIONS

S. 484 (*Approved and effective 7/20/67*). Makes it lawful for civil service employees, individually or collectively, to express their "honest" comments on matters concerning their wages and other conditions of employment.

(Amends sec. 365.29, Code 1966.)

MIGRATORY WORKERS

H. 178 (*Approved 6/30/67; effective 7/1/67*). Sets a minimum age of 14 for employment as an interstate migratory agricultural laborer on any schoolday before and during regular school hours; and a minimum age of 10 for such employment, with or without compensation, outside school hours and during vacations.

(Amends Ch. 92, Code 1966.)

VETERANS' REEMPLOYMENT RIGHTS

S. 9 (*Approved 2/8/67; effective 7/1/67*). Extends to veterans of the Vietnam Conflict preference in employment on public works (and public employment) now granted to veterans of other wars.

(Amends sec. 70.1, Code 1966.)

WORKMEN'S COMPENSATION

S. 508 (*Approved 6/8/67; effective 7/1/67*). Extends workmen's compensation coverage to elected or appointed executive corporate officers, in addition to State officials already covered.

(Amends sec. 85.61, subsec. 2, repeals sec. 85.61 subsec. 3(c), Code 1966.)

KANSAS

[Regular Session: 1/10/67-4/21/67]

DISCRIMINATION IN EMPLOYMENT

H. 1452 (*Approved 4/15/67; effective 6/30/67*). Authorizes the antidiscrimination commission to issue subpoenas, file complaints upon its own initiative, and secure judicial enforcement of its final orders. Retains the provision under which it can request the attorney general or the county attorney to secure judicial enforcement of its final orders.

(Amends K.S.A. 1965 Supp., secs. 44-1004, 44-1005, and 44-1011.)

OCCUPATIONAL SAFETY AND HEALTH

S. 152 (*Approved 4/20/67; effective 6/30/67*). Adds a requirement for students and teachers to wear approved eye-protective devices in all schools when participating in certain courses that involve use of hazardous processes, equipment, or substances.

(Amends K.S.A. 1965 Supp., sec. 72-6915.)

WORKMEN'S COMPENSATION

S. 221 (*Approved 4/10/67; effective 6/30/67*). Increases maximum weekly benefits for all types of disability and death to \$49 from \$42 and the total maximum for death to \$16,500 from \$15,000. Raises medical benefits to \$7,500 from \$6,000. Makes coronary disease or cerebrovascular injury compensable when it can be proved that work exertion was greater than is usual in the course of the worker's regular employment.

(Amends K.S.A. secs. 44-501, 44-504, 44-508, 44-510, 44-515, 44-520a, 44-532, 44-536, 44-551, 44-557, 44-567, 44-568, and 44-570.)

LOUISIANA

[Regular Session: 5/8/67-6/6/67]

[First Special Session: 7/17/67-7/28/67]

MISCELLANEOUS

H-2X (*Approved and effective 7/22/67*). Creates a permanent nine-member tripartite "Labor-Management Commission of Inquiry" to be appointed by the Governor, with powers to investigate and hold hearings, on an ad hoc basis, on allegations of violations of State or Federal criminal laws arising out of problems or dis-

putes in the field of labor-management relations. Specifically, provides that the Commission shall have no authority in any specified civil aspect of any labor problem or dispute.

(Enacts R.S. 23:880.1 through 23:880.17.)

MAINE

[Regular Session: 1/4/67–7/8/67]

[First Special Session: 10/2/67–10/3/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 466. See Wages and Hours—All Workers.

INDUSTRIAL RELATIONS

Ch. 430 (*Approved 6/28/67*). Enacts a uniform arbitration act applicable only to construction contracts and collective bargaining agreements. Makes a written agreement to submit controversies to arbitration valid, court enforceable, and irrevocable except upon such grounds as exist at law or in equity for the revocation of the contract.

(Adds secs. 5927 through 5949, to R.S., Title 14.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 226 (*Approved and effective 4/28/67*). Provides for entrance into the New England Compact on Radiological Health Protection. Requires entry of two or more of the six States eligible for membership to activate the Compact: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Specifies that the purpose of the Compact is to promote radiological health protection; provide mutual aid and assistance in radiological health matters; encourage and facilitate the efficient use of personnel and equipment by orderly acquisition and sharing the resources useful for radiation protection programs. Designates the Commissioner of Health and Welfare as the Compact administrator. (See also New Hampshire, Massachusetts, Rhode Island, and Vermont.)

(Adds R.S., Title 22, secs. 751–761.)

Ch. 233 (*Approved 5/1/67; effective 10/7/67*). Specifically authorizes the health agency to issue rules and regulations for protection of the health of employees in industrial establishments and places of employment.

(Amends R.S., Title 22, sec. 42.)

WAGES—WAGE GARNISHMENT

Ch. 318 (*Approved 5/22/67; effective 10/7/67*). Increases the

amount of wages exempt from the trustee process (wage garnishment) to \$40 from \$30 per week. Retains the \$10 minimum exemption.

(Amends R.S., Ch. 501, sec. 2602(6).)

WAGES—PREVAILING WAGES

Ch. 403 (*Approved 6/19/67; effective 10/7/67*). Amends the prevailing wage law to cover contracts on public works costing \$10,000 or more, rather than \$5,000 or more. Specifies that the prevailing wage to be paid employees after January 1, 1968 be determined by the labor commissioner on the basis of the hourly wage paid to the median number of workers employed by an employer of five workers or more in a construction trade in the locality during the middle weeks of September in the previous year. Broadens definition of "locality" to include not only the area where the construction is to be performed, but adjacent areas from which labor would be recruited and, in appropriate circumstances, to include the entire State.

Retains provisions for appeal to the special wage-rate board from the commissioner's determination, but eliminates provisions for further appeal to the courts. Exempts contracts subject to the jurisdiction of a Federal construction act under which the Secretary of Labor is required to establish minimum rates.

(Amends R.S., Title 26, secs. 1304-1313.)

WAGES AND HOURS—ALL WORKERS

Ch. 333 (*Approved 5/26/67; effective 10/7/67*). Increases basic minimum rate from \$1.25 to \$1.40 an hour for year beginning October 15, 1967, and to \$1.50 thereafter; but for employment in nursing homes and hospitals increases rate from \$1.15 to \$1.25, then in two steps to \$1.50 after October 15, 1969. Adds an exemption from the overtime provision ($1\frac{1}{2}$ times regular rate after 48 hours) for hotels, restaurants, and other eating establishments.

(Amends R.S., Title 26, sec. 664.)

Ch. 466 (*Approved 7/5/67; effective 10/1/67*). Makes the minimum wage law applicable to any person employed as a waiter, waitress, carhop, doorman, bellhop, or chambermaid in a resort establishment. Defines a service employee as one engaged in an occupation where he customarily receives tips in excess of \$20 a month. Provides that in determining wages for such employees, tips actually received may constitute no more than 50 percent of the hourly minimum wage.

Extends coverage of the law to students under 19 years of age and provides that such employees may be paid not less than

75 percent of the applicable minimum rate for other employees in the same occupation.

Amends the exemption for bona fide executive, administrative, or professional employees to include only those earning not less than \$90 a week for 1 year beginning October 15, 1967, and thereafter not less than \$100 weekly.

(Amends R. S., Title 26, secs. 663 through 665, adds sec. 672.)

WORKMEN'S COMPENSATION

Ch. 270 (*Approved 5/15/67; effective 10/7/67*). Adds a provision authorizing compensation, not to exceed \$1,500, for facial or head disfigurement if determined that such disfigurement interferes with present or may interfere with future earning capacity.

(Amends R.S., Title 39, sec. 56.)

Ch. 287 (*Approved 5/15/67; effective 10/7/67*). Specifies that elected or appointed executive officers of a corporation (except certain nonprofit corporations) are considered employees under the act. Also permits such officers of a nonprofit corporation to be brought within coverage voluntarily.

(Amends R.S., Title 39, sec. 2(5).)

Ch. 374 (*Approved 6/7/67; effective 11/30/67*). Changes from "schedule" coverage of occupational diseases to the full-coverage method, with certain exceptions. Makes asbestosis claims non-compensable unless the employee was exposed for 2 years during the 15 years preceding disablement. Newly provides partial disability benefits for silicosis, drops the \$1,000 limit on medical benefits for silicosis, and reduces the exposure period for compensability. Makes other occupational disease claims compensable if incapacity results within 2 years (instead of 1 year) after last exposure; for death benefit payments, removes the requirements of continuous prior disability and death within 7 years of last exposure. Adds determination of eligibility for occupational hearing loss and sets compensation therefor.

(Amends R.S., Title 39, sec. 51.)

MARYLAND

[Regular Session: 1/18/67-3/28/67]

[First Special Session: 6/22/67-6/22/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 393. See **Wages and Hours—All Workers**

Ch. 482 (*Approved 4/21/67; effective 6/1/67*). Makes the local school officials responsible for issuance of minors' employment

certificates outside Baltimore City, a function formerly performed by "county doctors." (The labor commissioner will continue to issue them in Baltimore City.)

(Amends secs. 23(d) and 24(c), Art. 100, Ann. Code (1965 Repl. Vol.).)

Ch. 592 (*Approved 4/21/67; effective 6/1/67*). Sets minimum age of 18 years for employment of minors by persons licensed to sell beer and light wine in Allegany County (now conforms to the State law). Retains the ban on employment of minors under 21 years of age by a person licensed to sell liquor.

(Amends sec. 120(a), Art. 2B, Ann. Code 1957.)

HOURS OF WORK

Ch. 458 (*Approved 4/21/67; effective 6/1/67*). Makes the women's hours laws (10 hours a day and 60 a week in several specified industries) inapplicable where a bona fide collective bargaining agreement is in effect, and eliminates the 8-hour daily maximum in these industries for women working between 10 p.m. and 6 a.m.

(Amends sec. 52, Art. 100, Ann. Code (1964 Repl. Vol.).)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 511 (*Approved 4/21/67; effective 6/1/67*). Adds to the radiation control law a requirement that the health agency shall issue regulations for licensing of ionizing radiation sources. Authorizes the health commissioner to impound such sources in certain emergencies.

(Adds sec. 688A to Art. 43, Ann. Code (1965 Repl. Vol.).)

STATE DEPARTMENT OF LABOR

Ch. 489 (*Approved 4/21/67; effective 6/1/67*). Creates a new division of research and information within the department of labor, and reaffirms the duties of the labor commissioner to promote harmony between industry and labor, and to promote the welfare of wage earners.

(Amends sec. 2, Art. 89, Ann. Code (1964 Repl. Vol.).)

WAGE PAYMENT AND WAGE COLLECTION

Ch. 297 (*Approved 4/14/67; effective 6/1/67*). Adds a reciprocity provision to the wage collection law authorizing the labor commissioner to enter into agreements with other States to collect unpaid wages from out-of-State employers.

(Adds sec. 94(f) to Art. 100, Ann. Code (1966 Supp.).)

WAGES—PUBLIC WORKS

Ch. 496 (*Approved 4/21/67; effective 6/1/67*). Provides that contracts performed in connection with the Port of Baltimore in the Patapsco River Estuary shall require payment of wages not less than minimum hourly rates set by Baltimore Board of Estimates.

(Amends sec. 5(s), Art 62B, Ann. Code (1964 Repl. Vol.).)

WAGES AND HOURS—ALL WORKERS¹⁶

Ch. 393 (*Approved 4/21/67; effective 6/1/67*). Raises the \$1.00-an-hour minimum rate and makes major coverage extensions. Amends the definition of "employer" to mean those employing one employee or more, rather than seven. Drops several other exemptions, among them are employees in hotels, motels, and restaurants that meet certain dollar volume tests; hospitals and nursing homes; companies operating parking lots, carwashes, and taxicab and ambulance services; and elementary and high school students who work after school and during vacation more than 20 hours a week. Increases the minimum rate for those previously covered to \$1.15 an hour on February 1, 1968, and to \$1.30 on February 1, 1969; and sets \$1.00 for the newly covered with two annual 15-cent increments reaching \$1.30 by June 1, 1969. Defines tipped employees and sets a maximum allowance of 50 percent of the minimum hourly rate.

(Amends secs. 82 and 83 of Art. 100, Ann. Code (1964 Repl. Vol.).)

WORKMEN'S COMPENSATION

Ch. 149 (*Approved 4/14/67; effective 6/1/67*). Makes all insurers writing workmen's compensation insurance in the State liable for assessments, when necessary to supplement the fund from which the labor department is to make payments of awards for injuries occurring after June 1, 1967, owed by employers insured by insolvent compensation insurers. Provides that the labor department shall protect the rights of the employee or his dependents, as against the employer and his insurer, to oversee payments of awards; and shall take the necessary legal steps to recover money paid out of the fund.

(Adds secs. 85 through 89, Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 150 (*Approved 4/14/67; effective 6/1/67*). Increases maxi-

¹⁶ Effective March 1, 1968, the minimum wage rate for employees of employers of three or more in Baltimore will increase to \$1.25 an hour, and to \$1.40 after September 1, 1968, by a city ordinance approved December 4, 1967.

imum weekly death benefits for dependent persons to \$55 from \$48 a week, total minimum to \$3,650 from \$2,000, and total maximum to \$27,500 from \$15,000. Makes similar increases in weekly benefits for partial dependents, but raises total maximum to \$9,000 from \$5,000.

(Amends secs. 36(8) (a), and (b), and (c), Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 151 (*Approved 4/14/67; effective 6/1/67*). Provides that benefits for permanent partial disability due to silicosis, asbestosis, or other dust diseases are payable in the same manner as for other cases of disability—a maximum of \$25, a minimum of \$15, and an aggregate maximum of \$12,500 except that in cases of serious disability equal to 40 percent or greater loss of use of the body, the maximum weekly benefit is \$40, the number of compensable weeks is increased by one-third, and the \$12,500 aggregate maximum does not apply. Formerly, \$1,000 was payable for permanent partial disability, and such payment operated as full release for the claim. (Total disability and death resulting from such diseases have been compensable in the same manner as other job-connected disability and death cases since 1951.)

(Amends secs. 23(c) and (d) and sec. 24(b), Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 152 (*Approved 4/14/67; effective 6/1/67*). Creates the Uninsured Employers' Fund; covers payment of benefits to employees when an uninsured employer has failed to make payments within 30 days after an award. Fund to be maintained from fines and assessments paid by uninsured employers. Fund not liable for double compensation for illegally employed minors.

(Amends sec. 19(f), adds secs. 85 through 97, of Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 153 (*Approved 4/14/67; effective 6/1/67*). Specifically makes exposure to ionizing radiation a compensable disease and removes various time limits applicable to other occupational disease cases; for example, exempts claims from the time limit of 1 year from last exposure.

(Amends secs. 23(c), 26(a), and 39(a) and (b), Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 155 (*Approved 4/14/67; effective 6/1/67*). Adds deafness caused by industrial noises to the schedule of compensable occupational diseases; provides for allocation of employer liability. Provides that claims may not be filed until 6 months after termination of exposure and that no employer shall be liable for compensation unless the employee was exposed for at least 90 days.

(Adds sec 25A, Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 189 (*Approved 4/17/67; effective 6/1/67*). Extends coverage of the workmen's compensation act to all members of the volunteer fire companies and rescue squads of Anne Arundel County while they are actually on duty. Requires the county council to provide such coverage.

(Amends secs. 34(a) and (c), Art. 101, Ann. Code (1964 Repl. Vol.).)

Ch. 584 (*Approved 4/21/67; effective 6/1/67*). Authorizes the commissioners of the State Accident Fund to make rules and regulations on extraterritorial protection for employees of Maryland employers.

(Amends sec. 83, Art. 101, Ann. Code (1964 Repl. Vol.).)

MASSACHUSETTS

[Regular Session: 1/4/67-1/2/68]

AGRICULTURAL WORKERS

Ch. 165 (*Approved 4/24/67*). Makes the hazardous-occupations prohibitions in the child labor law inapplicable to minors 14 years of age or over who assist in or operate small power equipment, such as used by home gardeners, and inapplicable to minors of 16 and 17 employed in agricultural vocational training programs. Requires that work be intermittent, incidental to the training, and under close supervision, and that safety instruction be correlated by employer with on-the-job training.

(Enacts A.L.M., Ch. 149, sec. 62A.)

Ch. 718 (*Approved 11/1/67*). Amends the minimum wage law to provide a minimum hourly rate of \$1.20 for farmworkers, with increases to \$1.35 effective February 1, 1968, and to \$1.50 effective February 1, 1969. Exempts farmworkers from the overtime provisions; and exempts minors under 18 years in agricultural work, and members of a farmer's immediate family from the entire act.

Amends also the migrant housing regulation to require, effective January 1, 1968, annual inspection of all farm labor housing facilities by State or local health agencies. Provides for issuance of certificate of occupancy after inspection and requires it to be posted in the housing facility. Requires the health agency to determine the educational and recreational needs and opportunities for migrant workers. Requires the health department to protect the rights of migratory workers to enter or leave the premises of the employer and to notify the workers in the certificate of occupancy that such right exists. Gives the worker reasonable

rights of visitation, after working hours, in his quarters when such quarters are apart from the employer's quarters.

(Amends A.L.M., Ch. 151, secs. 1A, 2, 19, adds sec. 2A; amends Ch. 111, secs. 129G and 128H.)

APPRENTICESHIP

Ch. 296. See **Wages—Prevailing Wages.**

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 12. See **Emergency Relaxations.**

Ch. 95 (*Approved 3/29/67*). Modifies the ban on employment after 10 p.m. for girls 16–21 years of age in specified industries to permit those 18 or over to work in hospitals between 11 p.m. and 6 a.m. on shifts which do not begin or end between these hours.

(Amends A.L.M., Ch. 149, sec. 66.)

Ch. 165. See **Agricultural Workers.**

Ch. 267 (*Approved 5/17/67*). Permits in-school youth 14 to 16 years of age to do volunteer work in nonprofit hospitals after school hours, but not after 6 p.m.

(Amends A.L.M., Ch. 149, sec. 60.)

DISCRIMINATION IN EMPLOYMENT

Ch. 765. See **Older Workers.**

EMERGENCY RELAXATIONS

Ch. 12 (*Approved 2/21/67*). Extends until July 1, 1969, the authority of the labor commissioner to suspend the application of laws on employment of women and of minors over 16 in case of emergency or conditions of hardship.

HOURS OF WORK

Ch. 357 (*Approved 6/12/67*). Limits hours of work to 48 hours a week for nonprofessional employees in rest, nursing, and convalescent homes or charitable homes for the aged. Authorizes the labor commissioner to relax the prohibition in emergencies.

(Amends A.L.M., Ch. 149, sec. 56.)

INDUSTRIAL RELATIONS

Ch. 514 (*Approved 8/3/67*). Amends the 1965 law to provide that a written contract between a municipal employer and an employee organization shall not exceed a term of 3 years.

Specifically provides that in collective bargaining involving a legally formed "superintendency union," the school committees

and the employee organizations may each be represented by common representatives designated by each. (Retains the provision that the school committee is to bargain with employee organizations for all other school employees.)

(Amends A.L.M., Ch. 149, sec. 178I.)

Ch. 746 (*Approved 11/20/67*). Provides that a municipal employer and an employee organization may agree to waive hearings and to proceed with a consent election to settle a dispute on representation.

(Amends A.L.M., Ch. 149, sec. 178H.)

Ch. 774 (*Approved 12/6/67*). Amends the law applying to State employees by specifying procedures for determining the appropriate collective bargaining units. Requires the recognized employee organization to be the exclusive bargaining agent for all employees in the unit. Provides for the appointment of a fact-finder to resolve disputes over contract terms; and for investigation of complaints of unfair practices by the Labor Relations Commission which, after hearing, is required to issue a fact-finding statement and its recommendations for correction of the practice.

Makes it unlawful for employees to engage in any strike or other work stoppage. Previously, such conduct was the only designated unfair labor practice. Newly prescribes prohibited practices by employers and adds some prohibited by employee organizations.

(Repeals and reenacts A.L.M., Ch. 149, sec. 178F.)

MIGRATORY WORKERS

Ch. 718. See **Agricultural Workers.**

OCCUPATIONAL SAFETY AND HEALTH

Ch. 801 (*Approved and effective 12/20/67*). Provides for entrance into the New England Compact on Radiological Health Protection. Designates the health commissioner as the Compact commissioner. (Five of the six eligible States have now approved entry; the other four are Maine, New Hampshire, Rhode Island, and Vermont. See Maine, p. 53 for purpose of Compact.)

OLDER WORKERS

Ch. 765 (*Approved 12/5/67*). Abolishes the Council and the Division on the Employment of Older Workers in the labor department and transfers the powers and duties to the existing interagency Commission on Aging. Requires the Commission to develop programs, among which would be those to eliminate age

as a barrier to employment, to rehabilitate and train older workers for employment, and to prepare them for eventual retirement.

(Repeals A.L.M., Ch. 23, secs. 11M through 11O; amends Ch. 23, sec. 3 and Ch. 6, sec. 73.)

PRIVATE EMPLOYMENT AGENCIES

Ch. 896 (*Approved 1/8/68*). Amends the law to set maximum placement fees ranging from 25 percent of the first full month's salary for persons earning less than \$225 a month to 60 percent for those earning at least \$400 a month, except for jobs paying more than \$8,000 a year. Establishes maximum placement fees for specific categories of workers; for example: for domestic household employees, unskilled manual workers, laborers, and agricultural workers, for residents the fees range from 10 percent to 18 percent of the first month's wages, and for nonresidents, up to \$65 for wages of \$200 or less per month and up to \$80 for over \$200. Sets certain requirements for payment of fees. Requires, for discharge within a month, that an employment agency refund to an applicant the amount of the fee that represents the excess of 10 percent of the gross wages. Previously, the refund was due if the discharge occurred within 10 days. Excludes executive recruiting firms, but requires such firms to register with the labor department and authorizes inspection of the premises, registers, books, and fees charged by such firms.

(Amends A.L.M., Ch. 140, secs. 46A, 46B, 46L, 46O, and 46R.)

STATE DEPARTMENT OF LABOR

Ch. 765. See **Older Workers**.

Ch. 844 (*Approved 1/2/68*). Makes the terms of the labor commissioner and his assistant conterminous with the Governor's term.

(Amends A.L.M., Ch. 23, sec. 2.)

WAGES—PREVAILING WAGES

Ch. 296 (*Approved 5/23/67*). Extends the provisions relating to prevailing wages to apprentices employed on public works.

(Amends A.L.M., Ch. 149, sec. 1.)

WAGES AND HOURS—ALL WORKERS

Ch. 718. See **Agricultural Workers**.

WORKMEN'S COMPENSATION

Ch. 482 (*Approved 7/27/67*). Raises the maximum weekly benefits for all disability from \$58 in two steps: \$62 effective November 12, 1967, and \$65 effective October 13, 1968.

(Amends Ch. 152, sec. 34.)

Res. Ch. 109 (*Approved 8/3/67*). Establishes a 15-member special commission to make a study of the workmen's compensation system to provide the basis for more efficient administration of the law.

MISCELLANEOUS

Res. Ch. 79 (*Approved 6/29/67*). Continues special commission created in 1964 to study status of women in employment.

MICHIGAN

[Regular Session: 1/11/67-8/3/67]

[First Special Session: 10/10/67-12/22/67]

AGRICULTURAL WORKERS

Act. 8. See **Workmen's Compensation.**

Act. 283. See **Workmen's Compensation.**

CHILD LABOR AND SCHOOL ATTENDANCE

Act 30 (*Approved and effective 6/2/67*). Makes motor vehicle license acceptable as proof of age for certificate issuance.

(Amends sec. 17.704, M.S.A., 1960.)

Act. 187. See **Hours of Work.**

HOURS OF WORK

Act 187 (*Approved 6/2/67; effective 11/2/67*). Repeals maximum hours of work standard (average 9-hour day, maximum 10-hour day, 54-hour week) for females and for males under 18 in specified occupations or industries.¹⁷

(Repeals sec. 17.19, M.S.A., 1960.)

Act. 282. See **Occupational Safety and Health**

OCCUPATIONAL SAFETY AND HEALTH

Act 195 (*Approved 6/30/67; effective 11/2/67*). Deletes provision prohibiting employment of females in the operation of certain wheels or belts in underground rooms but retains the safety requirements for such work.

(Amends sec. 17.40, M.S.A., 1960.)

Act 282 (*Approved and effective 8/1/67*). Repeals limited safety provisions applicable to specified establishments and enacts a comprehensive safety act for all places of employment and for

¹⁷ An attorney general's opinion, issued in March 1968, has ruled that a general occupational safety law (Act 282) that passed and became effective prior to the effective date of this law nullifies this repeal.

all employers except those in agriculture or domestic service. Requires the employer to keep a safe and healthful workplace and to file an annual report of all disabling injuries with the labor department. Makes the labor commissioner responsible for all administration, gives him authority to direct the employer to cease operations while eliminating hazards, and requires him to publish an annual statistical summary.

Creates a nine-member tripartite safety commission within the labor department, and an advisory committee to assist it with development and adoption of reasonable safety standards to become effective on approval by concurrent resolution of the legislature. Establishes a safety compliance and appeals board to conduct hearings and determine compliance or noncompliance with orders. Creates an education and training division within the department to develop and promote statewide programs.

Also repeals other provisions, including those on women's hours, seats, industrial homework, but provides that the commission may establish standards in these areas. Requires the commission, as new standards are issued, to advise the legislature of sections being amended and substituted.

STATE DEPARTMENT OF LABOR

Act. 282. See Occupational Safety and Health.

WORKMEN'S COMPENSATION

Act 8 (*Approved and effective 4/29/67*). Postpones from May 1 to July 1, 1967, the effective date of coverage of agricultural workers who meet specified requirements. (As originally introduced, the effective date would have been postponed until July 1, 1968.)

(Amends sec. 17.142(1), M.S.A., 1960.)

Act 140 (*Approved and effective 6/27/67*). Includes overtime, premium pay, and cost of living adjustment in the average weekly wage computation, for purposes of computing benefits, but excludes fringe or other benefits which continue during disability.

(Amends sec. 17.161, M.S.A., 1960.)

Act 283 (*Approved 8/1/67; effective 11/2/67*). Restricts compulsory coverage of certain agricultural workers to those who are employed by the same employer for 13 consecutive weeks, instead of 13 weeks as before. Makes it a misdemeanor to consistently discharge employees within 13 weeks and replace them in the absence of a work stoppage. Permits voluntary coverage of agricultural and domestic employees. Establishes formula for

computing the average weekly wage of agricultural employees for benefit purposes.

(Amends sec. 17.142(1), M.S.A., 1960.)

MINNESOTA

[Regular Session: 1/3/67-5/22/67]

[First Special Session: 5/23/67-6/2/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 82 (*Approved 3/15/67; effective 3/16/67*). Requires school attendance to the completion of 10th grade, instead of the 9th, and removes exemptions for children not living within reasonable distance from school and those 14 years or over living outside cities of first or second class whose help is required in any permitted occupation at home between April 1 and November 1.

(Amends sec. 120.10, subdiv. 3, Minn. Stats. Ann.)

DISCRIMINATION IN EMPLOYMENT

Ch. 743 (*Approved 5/24/67; effective when approved by the governing body of the City of Minneapolis*). Grants the Minneapolis Fair Employment Practice Commission (established by city ordinance) among other powers, the authority to issue cease-and-desist orders. Permits the Commission to provide for judicial review and enforcement of its orders and specifies procedures to be followed.

Ch. 897 (*Approved 5/25/67; effective 7/1/67*). Broadens the antidiscrimination law to apply to public accommodations, public services, and education, in addition to employment and housing as before. Creates a Department of Human Rights headed by a commissioner as the successor to the State Commission Against Discrimination. Among other strengthening changes, establishes in the new department a division and an advisory committee on women's affairs to assist women in various fields including employment practices, education, training, health, and welfare. Authorizes the commissioner to cooperate and consult with other public and private agencies in developing programs to serve the needs of Indian citizens.

(Amends secs. 363.01-363.10 and 363.12, Minn. Stats. Ann.)

INDUSTRIAL RELATIONS

Ch. 633 (*Approved 5/22/67; effective 5/23/67*). Gives teachers the right to form and join teacher organizations, including labor

unions as defined, or to refrain from doing so. Makes it unlawful to discriminate against any teacher for exercising this right. Authorizes school boards to grant recognition to such organizations and requires the board to confer on "economic aspects relating to employment" in an effort to reach agreement. Provides for submission of unresolved issues to an adjustment panel.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 14 (*Approved 5/31/67; effective 1/1/68*). Requires all persons in all schools (including universities) to wear industrial quality eye-protective devices while participating in activities involving exposure to certain hazardous substances, equipment, or processes.

Ch. 387 (*Approved 5/11/67; effective 5/12/67*). Permits the use of certain heaters in workrooms when the installation conforms to local building codes, uses outside air, and controls the carbon monoxide content of the rooms.

(Amends sec. 182.34, Minn. Stats. Ann.)

PRIVATE EMPLOYMENT AGENCIES

Ch. 88 (*Approved 3/22/67; effective 3/25/67*). Sets a flat \$150-annual licensing fee for employment agencies. (Formerly set a schedule of fees ranging from \$75 to \$150, based on the sex of the applicants served.)

Ch. 884 (*Approved and effective 5/25/67*). Repeals and reenacts the law regulating private employment agencies. Retains annual license fee for conducting an employment agency at \$150, but requires managers, counselors, and members of an agency to obtain licenses. Requires that such employees, as well as owners, pass a qualifying written examination prior to being issued a license. Effective January 1, 1968, licenses will be renewable on a calendar year basis, rather than 1 year from the date of original issue. Raises the amount of the bond to be posted to \$10,000 from \$2,000 for agencies making all types of placements except theatrical which remains at \$2,000.

Establishes a seven-member employment advisory board and requires that the majority of the membership be selected from employment agencies which have been licensed for 3 years.

(Repeals and reenacts secs. 184.01-184.15, Minn. Stats. Ann.)

STATE DEPARTMENT OF LABOR

Ch. 1 (*Approved 5/27/67; effective 7/1/67*). Abolishes the three-member Industrial Commission, formerly responsible for administering most labor laws and creates instead a Department of

Labor and Industry to be headed by a commissioner appointed by the Governor. Transfers all functions to the new department. Creates therein a division of workmen's compensation under the supervision of a three-member commission, made up of the present commission members until the expiration of their terms.

VETERANS' REEMPLOYMENT RIGHTS

Ch. 4 (*Approved 5/27/67; effective 5/28/67*). Clarifies veterans' rights in public employment by specifying that preference be given persons honorably discharged or separated from any branch of the Armed Forces on or after December 7, 1941.

(Amends secs. 43.30 and 197.45, Minn. Stats. Ann.)

WAGES—ASSIGNMENT OF WAGES

Ch. 517 (*Approved 5/17/67; effective 5/18/67*). Makes existing prohibition against assignment, sale, or transfer of future wages for more than 60 days inapplicable to wages in excess of the first \$1,500 per month where such assignment is for less than 5 years.

(Amends sec. 181.06, Minn. Stats. Ann.)

WORKMEN'S COMPENSATION

Ch. 1. See **State Department of Labor.**

Ch. 8 (*Approved 2/15/67; effective 7/1/67*). Makes the workmen's compensation law applicable to employees of the Minnesota historical society, in the same manner as it applies to employees of other departments of State government.

(Amends sec. 176.541, Minn. Stats. Ann.)

Ch. 40 (*Approved 6/2/67; effective 9/1/67*). Increases maximum weekly benefits to \$60 for all types of disability and death; and increases total maximum death benefits to \$25,000 from \$17,500. Allows up to \$17,500, when disability ends in death, before deductions for previous payments are made from balance due. Increases to \$25,000 from \$18,000 the aggregate in weekly benefits payable in permanent total disability cases before reductions for equivalent benefits received under any old-age and survivors insurance; requires such limit before reductions also when benefits are received for the same injury under any government disability benefits program. Adds extraterritorial coverage provisions, among other types of changes. Increases to 104 from 52 the number of weeks of compensation during rehabilitation or retraining. Requires the commission to refer promptly to the division of vocational rehabilitation, or other training agency, any employee whose injury will produce disability in excess of 26 weeks.

(Amends secs. 176.011, 176.021, 176.041, 176.061, 176.101, 176.111, and 176.461, Minn. Stats. Ann.)

Ch. 330 (*Approved 5/10/67; effective 5/11/67*). Provides benefits from special compensation fund to employees injured while employed by uninsured employer. Authorizes fund custodian to sue employer for reimbursement to fund of benefits and for additional damages against employer, in court's discretion, of up to 50 percent of benefits paid or due.

Ch. 354 (*Approved 5/10/67*). Authorizes Ramsey County to insure against workmen's compensation liability for certain personnel subject to sheriff's authority; law to take effect upon approval of county governing body.

Ch. 701 (*Approved 5/24/67; effective 5/25/67*). Extends coverage to elected or appointed State and local government officials, except State legislators (in addition to specified officials and public employees as before); but for officers of political subdivisions, requires prior adoption of a local ordinance or resolution. Provides that a public officer of State or governmental subdivision on the payroll whose public office salary exceeds \$100 a year and is receiving benefits for temporary or permanent total disability shall have a reduction in his workmen's compensation benefits for his public salary.

(Amends secs. 176.011 and 176.021, Minn. Stats. Ann.)

Ch. 806 (*Approved 5/24/67; effective 1/1/68*). Extends coverage to county assessors and supervisors of assessments.

(Amends sec. 176.011, Minn. Stats. Am.)

MISSOURI

[Regular Session: 1/4/67-7/15/67]

HOURS OF WORK

Ch. 270 (*Approved 8/2/67; effective 10/13/67*). Makes an exemption from the maximum hours law (9-hour day, 54-hour week) for employers of women in floral establishments, applicable on certain holidays, and in preparation for funerals and weddings.

Permits women employed by telephone companies to work more than 9 hours a day.

(Amends sec. 290.040, RSMo., 1959.)

INDUSTRIAL RELATIONS

H. 166 (*Approved 6/7/67; effective 10/13/67*). Strengthens a 1965 law by granting public employees exclusive bargaining rights. Defines a bargaining unit; and requires that disputes on appropriateness of units and status of representation shall be

resolved by the State Board of Mediation. Expands the definition of "public body" to specifically include any agency, department, bureau, or division; and now requires such public bodies to meet and discuss proposals. Provides for appeal from decisions of the Board to the circuit court in the county of the public body.

(Repeals secs. 105.500, 105.510, 105.520, and 105.530; enacts secs. 105.500, 105.510, 105.520, 105.530, and 105.540, RSMo., Supplement 1965.)

OCCUPATIONAL SAFETY AND HEALTH

S. 127. See State Department of Labor.

STATE DEPARTMENT OF LABOR

S. 127 (*Approved 4/18/67; effective 10/13/67*). Requires the labor department to publish findings, awards, orders, and determinations made by a referee or other authorized hearing officer for the following divisions: Workmen's Compensation, Employment Security, and Industrial and Mine Inspection. Specifies that the service shall be made available to the public at cost.

(Repeals and enacts sec. 286.090; adds sec. 286.095, RSMo., 1959.)

WORKMEN'S COMPENSATION

S. 25 (*Approved 5/22/67; effective 10/13/67*). Makes the law applicable to members of the State militia ordered to active duty by the Governor. Provides for reduction of State benefits by the amount of any Federal benefits received by the injured worker or his dependents. Defines the average earnings for computing benefits as either the member's civilian earnings, military earnings, or \$14 a day.

(Adds five secs. to Ch. 287, RSMo., 1959.)

S. 127. See State Department of Labor.

H. 42 (*Approved 6/26/67; effective 10/13/67*). Expands definition of "major employer" as one who has more than seven regularly employed employees, instead of more than 10; conversely, redefines "minor employer" as one with seven or less regularly employed employees, instead of 10 or less. (Act is elective but acceptance is presumed by "major employers" in absence of rejection.)

(Amends sec. 287.050, RSMo., 1959.)

H. 262 (*Approved 8/1/67; effective 10/13/67*). Provides for the election of workmen's compensation coverage by the Division of Insurance in the Department of Business and Administration,

and for the State to assume liability through the purchase of insurance or the deposit of a fund from general appropriations.

(Repeals Ch. 345 and secs. 374.030 through 379.310; enacts new secs. 374.030 through 379.790, RSMo., Supplement 1967.)

H. 300 and H. 280 (*Approved 7/31/67; effective 10/13/67*). Includes executive officers of corporations in the definition of employee for purposes of the act. Raises maximum weekly benefits for temporary total disability and death to \$57 from \$52. Raises such benefits for permanent partial to \$52 from \$47; provides the same increase for permanent total during the first 300 weeks, but retains the life compensation of \$30 a week.

Increases aggregate death benefits to \$17,500 from \$16,500 and burial allowances to \$800 from \$650.

(Amends secs. 287.020, 287.160, 287.170, 287.180, 287.190, 287.200, and 287.240, RSMo., Supplement 1965.)

H. 483 (*Approved 7/26/67; effective 10/13/67*). Increases benefit period for total occupational deafness of one ear to 40 from 17 weeks and of both ears to 148 from 100 weeks.

(Repeals and reenacts sec. 287.197, RSMo., 1959.)

MONTANA

[Regular Session: 1/2/67-3/3/67]

[First Special Session: 3/3/67-3/18/67]

INDUSTRIAL RELATIONS

Ch. 250 (*Approved 3/2/67; effective 7/1/67*). Grants registered professional or licensed practical nurses the right to organize and bargain collectively on employment practices and conditions (during the period July 1, 1967 to July 1, 1969) with employers operating public or private health-care facilities. Provides that the bargaining unit may be determined by mutual consent between the health-care facility and the nurses, but, if this procedure fails, either party may apply to the State Board of Health for a determination. Enumerates improper labor practices by employers, including refusal to bargain in good faith and discriminatory discharge. Does not specifically prohibit strikes.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 108 (*Approved 2/21/67; effective 7/1/67*). Enacts a radiation control law establishing a regulatory program under the State Board of Health, which is granted rulemaking authority. Provides for licensing of radiation sources, inspection, and recordkeeping. Authorizes Federal-State agreements for transfer to

the State of certain Federal responsibilities with respect to radiation hazards.

(Adds secs. 69-5801 through 69-5816, Repl. Vol. 4 (Part 1), Rev. Codes, 1947.)

Ch. 323 (*Approved and effective 3/3/67*). Authorizes the Governor to appoint an eight-member commission, including the labor commissioner and the chairman of the industrial accident agency, to study safety laws and codes and to submit to the next legislature its recommendations for revisions.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 40 (*Approved 2/16/67; effective 7/1/67*). Authorizes the labor commissioner to take assignment of wage claims. Expands separation pay protection to include any employee separated from employment instead of only those discharged.

(Amends secs. 41-1301 and 41-1303 and adds secs. 41-1314.1 and 41-1314.2, Repl. Vol. 3 (Part 2), Rev. Codes, 1947.)

WORKMEN'S COMPENSATION

Ch. 70 (*Approved 2/21/67; effective 7/1/67*). Provides for extraterritorial application of workmen's compensation act and for reciprocity with other States. Authorizes the compensation board to enter into agreements with workmen's compensation agencies of other States to issue regulations to carry out extraterritorial application of the laws of agreeing States.

(Amends sec. 92-614, Repl. Vol. 6 (Part 2), Rev. Codes, 1947.)

Ch. 125 (*Approved 2/23/67; effective 7/1/67*). Raises to \$125 from \$90 a month the payments under the public welfare law to persons totally disabled because of silicosis.

(Amends secs. 71-1003, 71-1004, and 71-1008, Repl. Vol. 4 (Part 2), Rev. Codes, 1947.)

Ch. 172 (*Approved and effective 2/28/67*). Requires workmen's compensation policies to specify that the "insured" has full freedom in choice of physicians or other professional health workers.

(Adds secs. 40-4108 and 40-4109, Repl. Vol. 3 (Part 1), Rev. Codes, 1947.)

Ch. 192 (*Approved 2/28/67; effective 7/1/67*). Extends the maximum period during which death benefits are payable to 600 from 500 weeks.

(Amends sec. 92-704, Repl. Vol. 6 (Part 2), Rev. Codes, 1947.)

Ch. 207 (*Approved 2/28/67; effective 7/1/67*). Raises minimum and maximum weekly benefits for death and all types of disability: minimum to \$34.50 from \$31.50; maximum to a range of

\$37-\$60 from a range of \$35-\$56, according to the number of dependents.

(Amends secs. 92-701 through 92-704 and 92-709, Repl. Vol. 6 (Part 2), Rev. Codes, 1947.)

Ch. 270 (*Approved and effective 3/2/67*). Amends the definition of injury to include physical harm from unusual strain.

(Amends sec. 92-418, Repl. Vol. 6 (Part 2), Rev. Codes, 1947.)

NEBRASKA

[Regular Session: 1/3/67-7/22/67]

CHILD LABOR AND SCHOOL ATTENDANCE

L. 769 (*Approved 6/8/67; effective 10/23/67*). Repeals the 14-year minimum age standard for specified employment. Amends the certificate provisions to require employment certificates for minors under 16 years, rather than for those between 14 and 16 employed in specified employments. Permits minors under 14 years who have completed the 6th grade to participate in approved school-work programs.

Amends the nightwork provision which prohibits minors under 16 to work between 8 p.m. and 6 a.m. by setting this standard for those under 14 and permitting those between 14 and 16 to work up to 10 p.m.

(Amends secs. 48-303, 48-304, 48-306, 48-308, 48-311, and 48-312, R.R.S. (1943), and secs. 48-302 and 48-310, Rev. Stats. Supp. (1965), and repeals sec. 48-301, Rev. Stats. Supp. (1965).)

L. 903. See **Hours of Work**.

DEBT POOLING

L. 43 (*Approved 5/25/67; effective 1/1/69*). Regulates the commercial practice of debt management (also called debt pooling), effective January 1, 1969. Provides for annual licensing, a bond, an investigation fee, and establishes maximum fees.

DISCRIMINATION IN EMPLOYMENT

L. 357 (*Approved 3/15/67; effective 10/23/67*). Deletes the exemption of the State or any political subdivision from the fair employment practice act, thus extending coverage to public employees.

(Amends sec. 48-1102, Rev. Stats. Supp. (1965).)

L. 474. See **Wages—Equal Pay**.

HOURS OF WORK

L. 903 (*Approved 7/1/67; effective 10/23/67*). Permits female employees to work longer than 9 hours a day or 54 hours a week in emergency periods if the employer obtains both a permit from the labor commissioner and the consent of the female employees to work the additional hours, but the working time may not exceed a 12-hour day or 60-hour week.

(Amends sec. 48-203, R.R.S. (1943).)

INDUSTRIAL RELATIONS

L. 298 (*Approved 3/28/67; effective 10/23/67*). Extends jurisdiction of the Court of Industrial Relations to settle by compulsory arbitration labor disputes of any private or public utility operated by any State government. (Formerly applied only to public utility owned by a governmental body acting in its proprietary capacity.)

(Amends secs. 48-801 and 48-816, R.R.S. (1943).)

L. 485 (*Approved 7/19/67; effective 10/23/67*). Enacts the teachers' professional negotiation act. Gives certified public school employees (teachers, superintendents, principals, and supervisors) in school districts (with population of 1,000 or more to 200,000 or more) the right to join and be represented by employee organizations of their choice on all matters of employment relations. Specifies that a board of education or school board is not required to grant recognition to such an organization unless agreed upon by a majority of the members. Permits boards, in case more than one organization makes such a request, to recognize the one which has represented the majority of employees for the preceding 2 years.

Provides for organizations to submit requests for meeting and to state matters to be discussed. Gives boards 30 days to accept or reject requests for a meeting. Requires "good faith" negotiations if a meeting is held. Provides for submission of unresolved disputes to a factfinding board, made up of one representative of each of the parties and the third mutually agreed upon; the recommendations of such boards for settlement are to receive "good faith" consideration but are not binding on the school district.

L. 523 (*Approved 6/12/67; effective 10/23/67*). Permits any public employee who voluntarily participates in an employee organization or other organization, or charity plan, to execute an order for the withholding from wages to be paid to such organization.

L. 583 (*Approved 6/21/67; effective 10/23/67*). Clarifies the law relating to public utilities¹⁸ by specifically providing that the State and its subdivisions cannot be compelled to enter into a written or oral contract or agreement with any labor organization on grievances, labor disputes, rates of pay, hours of employment, or conditions of work.

(Amends sec. 48-801, R.R.S. (1943).)

L. 875 (*Approved 6/21/67; effective 10/23/67*). Permits either party to a dispute involving employees in certain cities or employees of paid fire departments of such cities and labor organizations to request the Court of Industrial Relations for an order to open or renew discussions of matters under dispute.

(Amends sec. 48-810, Rev. Stats. Supp. (1965).)

WAGES—EQUAL PAY

L. 474 (*Approved and effective 6/23/67*). Enacts an equal pay law under the administration of the antidiscrimination commission. Prohibits any employer of 50 employees or more (25 or more after July 2, 1968) from paying lower wages to employees of the opposite sex for equal work. Authorizes the commission, at the written request of the employee, to bring suit to collect claims for unpaid wages. Provides that employers who fail to pay equal wages as required shall be liable to the employee for unpaid wages, and in cases of willful violation up to an additional equal amount as liquidated damages.

WAGES AND HOURS—ALL WORKERS

L. 35 (*Approved 2/16/67; effective 10/23/67*). Enacts a minimum wage law that sets \$1.00 an hour for men, women, and minors. Makes provisions for reducing the minimum to not less than 80 cents an hour, if specified economic conditions warrant such an action. Applies to employers with "four employees or more at any one time except for seasonal employment of not more than 20 weeks in any calendar year." Makes certain exemptions, including domestic service and agriculture, occupations compensated primarily by tips, persons receiving any form of public aid or welfare, and workers with less than 3 months' job experience.

WORKMEN'S COMPENSATION

L. 101 (*Approved and effective 2/20/67*). Increases to \$1,000 from \$500 the required contribution into the Second-Injury Fund in no-dependency death cases.

(Amends sec. 48-128, R.R.S. (1943).)

¹⁸ See L. 298, p. 73.

L. 269 (*Approved 3/8/67; effective 10/23/67*). Increases maximum weekly benefits for death and all types of disability to \$45 from \$42 and the minimum to \$30 from \$28. Raises the benefits after the first 300 weeks of total disability to a maximum of \$36 a week, and a minimum of \$26. Specifies the method of computing weekly wages in determining benefits for piece-rate employees.

(Amends secs. 48-121 and 48-122, Rev. Stats. Supp. (1965).)

L. 286 (*Approved 3/15/67*). Deletes the exemption for officials of the State, its governmental agencies, and corporation executive officers from the definition of "employee" for the purposes of the law. Thus, providing workmen's compensation coverage for these persons, pending adoption of constitutional amendment.

(Amends sec. 48-146, R.R.S. (1943) and sec. 48-115, Rev. Stats. Supp. (1965).)

L. 309 (*Approved 3/1/67; effective 10/23/67*). Clarifies appeals procedure in workmen's compensation cases by requiring that a notice of intention to appeal a decision of the workmen's compensation court shall be filed with that court, as well as with the district court, as formerly.

(Amends secs. 48-170 and 48-182, R.R.S. (1943).)

L. 758 (*Approved 4/27/67*). Places judges of the workmen's compensation court under the merit plan for judicial selection.

L. 790 (*Approved 6/14/67; effective 10/23/67*). Extends coverage to any person on probation under a juvenile or municipal court order who works for a governmental body.

(Amends secs. 48-170 and 48-182, R.R.S. (1943).)

NEVADA

[Regular Session: 1/16/67-4/15/67]

DISCRIMINATION IN EMPLOYMENT

Ch. 63 (*Approved 2/24/67; effective 7/1/67*). Adds to the anti-discrimination law a prohibition on the basis of sex, except where sex is a bona fide occupational qualification.

(Amends NRS 613.330-613.350, 613.380, and 613.400.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 319 (*Approved 4/8/67; effective 7/1/67*). Strengthens the jurisdiction of the safety agency (in the labor department) by repealing the provision that permitted other boards and commissions, such as a board of county commissioners, to also assume power and jurisdiction over places of employment (includ-

ing safety). Provides that the department shall have no jurisdiction over motor vehicles operating on the public highways.

(Repeals NRS 618.310 and amends NRS 618.180.)

STATE DEPARTMENT OF LABOR

Ch. 319. See Occupational Safety and Health.

WAGES—EQUAL PAY

Ch. 63. See Discrimination in Employment.

WAGES AND HOURS—ALL WORKERS

Ch. 225 (*Approved and effective 3/30/67*). Changes the probationary period during which female workers may be paid sub-minimum rates from 3 consecutive months to any 3 months of employment.

(Amends NRS 609.060.)

WORKMEN'S COMPENSATION

Ch. 129 (*Approved and effective 3/21/67*).

Ch. 223 (*Approved 3/20/67; effective 7/1/67*). Deletes a provision that permitted an employee affected by silicosis to waive all compensation for an aggravation of his condition due to continued exposure. Continues for the period July 1, 1967 to July 1, 1969 the supplemental compensation payable to claimants or their dependents who have exhausted maximum benefits payable under the occupational diseases act for death or disability due to silicosis. Increases the maximum payable to \$5,768 during the period from January 1, 1967 to July 1, 1969.

(Amends NRS 617.430, 617.460, 617.466, and adds new section.)

Ch. 220 (*Approved 3/30/67; effective 7/1/67*). Deletes from the occupational diseases law the provision that disability resulting from exposure to radioactive substances is compensable only if contracted within 4 years of disability date.

(Amends NRS 617.440.)

Ch. 221 (*Approved 3/30/67; effective 7/1/67*). Raises maximum amount of monthly wages (to \$305 from \$265) used in determining death benefits, thus increases maximum weekly benefits to \$35.19 for a widow and \$10.55 for each child.

(Amends NRS 616.615.)

Ch. 222 (*Approved 3/30/67; effective 7/1/67*). Increases maximum monthly benefits for permanent partial disability to \$180 from \$120, thus increasing maximum weekly benefit to \$41.54

from \$27.69. Raises the maximum amount allowable for lump sum payments to \$18,000.

(Amends NRS 616.590, 616.605, and 616.620.)

Ch. 499 (*Approved 4/25/67; effective 7/1/67*).

Ch. 500 (*Approved 4/25/67; effective 7/1/67*). Amends the definition of employee under the workmen's compensation and occupational diseases acts to include officers of quasi-public or private corporations; sets minimum and maximum salary limitations (\$3,600 to \$15,600 per year) for computing benefits.

(Amends NRS 616.055, 616.079, 616.310, 617.070, and 617.250.)

MISCELLANEOUS

Ch. 309 (*Approved and effective 4/8/67*). Makes unenforceable private employment contracts that result in loss of job seniority by legislators who are absent from employment while attending a regular or special session of the legislature.

Ch. 496 (*Approved 4/25/67; effective 7/1/67*). Requires licensing of operators of polygraphy (lie-detector) machines.

(Repeals NRS 648.010; and amends 648.020 through 648.040, 648.060 through 648.080, 648.100 through 648.150, 648.190, and adds new sections.)

NEW HAMPSHIRE

[Regular Session: 1/4/67-7/2/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 278. See **Hours of Work**.

HOURS OF WORK

Ch. 278 (*Approved 6/27/67*). Permits the labor commissioner to approve relaxation of the maximum hours restriction (8 hours a day and 48 hours a week) applicable to nightwork for females and for minors between 16 and 18 employed in manual or mechanical labor when mutual employer-employee agreements have been reached.

(Adds sec. 275:17-a to RSA.)

INDUSTRIAL RELATIONS

Ch. 195 and Ch. 398. See **Wage Payment and Wage Collection**.

OCCUPATIONAL SAFETY AND HEALTH

S. 88 (*Approved 5/19/67*). Provides for entrance into the New

England Compact on Radiological Health Protection. Designates the radiation control agency director as the Compact administrator. (Five of the six eligible States have approved entry. See *Maine*, p. 53, for purpose of the Compact.)

(Adds Ch. 125-B to RSA.)

WAGE PAYMENT AND WAGE COLLECTION

Ch. 195 (*Approved 6/14/67*).

Ch. 398 (*Approved 7/3/67*). Amends the definition of "wages" to include contributions to health, welfare, and pension funds required under any agreement. Requires an employer to pay such contributions within 30 days of the date of demand for such payment. Provides that separated employees receive payment on the next succeeding payment date applicable to such contributions. Exempts certain trusts created by an employer for the benefit of his employees from the rule against perpetuities.

(Amends RSA 275:42-275:44 and adds sec. 275:48-a.)

WAGES—WAGE GARNISHMENT

Ch. 228 (*Approved 6/22/67*). Increases to \$40 from \$20 per week the amount of earned wages exempt from garnishment. Retains the provision exempting all wages earned after service of the writ.

(Amends RSA 512:21.)

WAGES AND HOURS—ALL WORKERS

Ch. 440 (*Approved 7/7/67; effective 2/1/68*). Extends coverage to all employees of non-profit hospitals, orphanages, or homes for the aged (formerly only laundry employees, nurses' aides, and practical nurses in these facilities were covered) and sets \$1.15 an hour effective on February 1, 1968, with increases in three annual 15-cent increments up to \$1.60 on February 1, 1971. Extends coverage to nursing home employees and sets the same rates for these employees as for employees of nonprofit health-care facilities except \$1.25 an hour is applicable until February 1, 1969, when the rate will rise to \$1.30. Makes entire law applicable to men instead of only the statutory provisions; thus extending coverage under all wage orders, formerly applicable to women and minors only, including orders for the hotel and restaurant industries (which are exempt from the statutory rate).

Raises the basic statutory minimum hourly wage from \$1.25 in two steps: \$1.40 effective February 1, 1968, and \$1.60 effective February 1, 1969. Raises hourly rates for persons with less than 6 months' experience and of persons under 19 years of age to 75

percent of the applicable statutory minimum wage, rather than 95 cents an hour.

Requires that the subminimum rate for persons whose earning capacity has been impaired shall be established by regulation of the labor commissioner upon application by the employer rather than providing a flat 80 cents an hour, as previously. Newly provides special procedures for subminimum rates in sheltered workshops.

(Repeals RSA 279:23-279:25; amends RSA 279:1-279:4, 279:7, 279:8, 279:11, 279:21, 279:22, and 279:27-279:29; and adds secs. 279:22-a and 279:22-b.)

WORKMEN'S COMPENSATION

Ch. 277 (*Approved 6/27/67*). Provides that when an injured national guard member would receive less under a Federal program, the benefits, including any Federal benefits, he receives shall be equal to that for employees of private employers. Formerly national guard members could not receive State benefits for any condition for which Federal benefits were received.

(Amends RSA 110.47.)

Ch. 403 (*Approved 7/7/67; effective 7/1/67*). Makes law applicable to employers of one or more, instead of two or more, and extends coverage to all public employees, appointed or elected, including members of the general court. Makes provisions applicable to the general court retroactive to January 4, 1967 (and certain amendments effective October 1, 1967). Substitutes full coverage of occupational diseases for previous schedule coverage. Increases maximum weekly benefits for all types of disability and death to \$58 from \$50, except that the maximum for schedule injuries is increased to \$56.50 from \$48.50. Increases aggregate maximum death benefits to \$19,778 from \$17,050. Increases to \$20 from \$15 (or actual wage if less) minimum benefits for total disability, in conformity with \$20 minimum already in effect for other types of disability. Reduces the period for establishing the average weekly wage to 12 weeks from 52 weeks. Makes contractor liable for his subcontractor when latter fails to secure compensation. Simplifies administrative proceedings relative to voluntary or elective coverage and revocation by employers; makes other administrative or procedural changes. Suspends payment to the second-injury fund from July 1, 1967 to July 1, 1969.

(Repeals RSA 281:7; amends RSA 281:2-281:6, 281:9, 281:18, 281:21-281:23, 281:26, 281:26-a, 281:30, 281:41, and 281:48; and adds secs. 281:4-a and 281:36-a.)

Ch. 407 (*Approved 7/7/67*). Provides for payment of interest in workmen's compensation cases from date of writ or filing of

an appeal from labor commissioner's decision to the time an award is made by the superior court.

(Amends RSA 524:1-b.)

NEW JERSEY

[Regular Session: 1/10/67-1/9/68]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 129 (*Approved and effective 6/26/67*). Makes the special work permits issued by a school district to newspaperboys between 12 and 18 years old evidence, until December 31, 1967, that such boys are legally employed for purposes of workmen's compensation benefits and, relieves the employer of liability for double benefits.

(Supplements NJSA 34:2-21.)

INDUSTRIAL RELATIONS

Ch. 8 (*Approved and effective 3/13/67*). Continues the commission created in 1966 to study the need for a grievance procedure for public and school employees; requires a report and legislative recommendations to the Governor and the legislature during the 1967 session.

Ch. 310 (*Approved and effective 2/27/68*). Provides for checkoff of union dues for employees of the State, county, municipality, or board of education, or agencies thereof, upon written authorization to proper disbursing officer; and for its cancellation on request of employee.

(Supplements Art. 3, Title 52, NJSA.)

MIGRATORY WORKERS

Ch. 91 (*Approved and effective 6/7/67*). Establishes migrant labor bureau within the labor department. Abolishes the quasi-public migrant board. Provides that any rules and regulations previously approved by the former board shall remain in full force and effect until modified by the labor commissioner.

(Repeals NJSA 34:9A-4 through 34:9A-6 and 34:9A-8; amends NJSA 34:9A-1 through 34:9A-3, 34:9A-7, 34:9A-9 through 34:9A-11, 34:9A-14, 34:9A-16, 34:9A-20.)

Ch. 259 (*Approved and effective 12/26/67*). Amends the law regulating housing facilities for migratory agricultural workers by requiring operators of such facilities to obtain an annual certificate of compliance from the newly created bureau. Provides

for inspection and revises specifications and standards for sleeping, bathing, water, and sewage disposal facilities.

(Amends NJSA 34:9A-17, 34:9A-19, 34:9A-24, 34:9A-26 through 34:9A-29, 34:9A-31, and 34:9A-34.)

PRIVATE EMPLOYMENT AGENCIES

Ch. 280 (*Approved and effective 1/12/68*). Restricts the definition of "babysitters" to persons under 21 years of age, thereby authorizing licensed agencies to place babysitters who are 21 years of age and over, and limiting the prohibition on placing babysitters to those under 21.

STATE DEPARTMENT OF LABOR

Ch. 91. See Migratory Labor.

TRAINING AND RETRAINING

Ch. 122 (*Approved and effective 6/21/67*). Authorizes and makes appropriations for the State to provide matching funds as required by the Federal Manpower Development and Training Act of 1962.

(Amends NJSA 34:15A-3 and 34:15A-4.)

WAGES—ASSIGNMENT OF WAGES

Ch. 94 (*Approved 6/8/67*). Amends the small loan business law to, among other things, prohibit such businesses from making loans (now limited to \$1,000) which are secured by an assignment of any earned compensation, or to use such wage assignment for enforcement of repayment. Formerly, an assignment of future earnings for repayment of such a loan was limited to 10 percent of the borrower's salary, wages, commissions, or other compensation.

(Repeals NJSA 17:10-4 and 17:10-18.1; amends NJSA 17:10-2, 17:10-3, 17:10-5 through 17:10-10, and 17:10-13 through 17:10-20.)

WAGES AND HOURS—ALL WORKERS

Ch. 89 (*Approved and effective 6/2/67*). Adds an exemption for summer counselors and allied staff who work from June through September at children's summer camps operated by nonprofit organizations.

Ch. 216 (*Approved and effective 10/5/67*). Prescribes a 2-year statute of limitations for bringing an action to recover unpaid minimum wages, overtime compensation, or other damages. Provides that an action begins when a complaint is filed with the labor commissioner.

(Adds new sections to Art. 2, Ch. 11, Title 34, NJSA.)

WORKMEN'S COMPENSATION

Ch. 77. See **Miscellaneous**.

Ch. 129. See **Child Labor and School Attendance**.

Ch. 147 (*Approved and effective 7/17/67*).

Ch. 267 (*Approved and effective 1/8/68*). Continues the commission to study workmen's compensation created in 1966, and directs it to report its findings and recommendations to the legislature and the Governor by July 1, 1968.

Ch. 297 (*Approved and effective 2/15/67*). Amends the law to bring members of boards of education under the law when performing official duties. Provides death and disability benefits based on a weekly salary presumed to be an amount sufficient to entitle the members or their dependents to receive the maximum benefits authorized by the law.

(Adds a new section, and amends NJSA 34:15-75.)

Ch. 306 (*Approved and effective 2/27/68*). Amends the temporary disability benefits law to permit payment of disability benefits under that law to eligible claimants when claims under the temporary disability provisions of the workmen's compensation law are being contested. Provides that payments be made until claimant begins to receive workmen's compensation benefits.

(Amends NJSA, sec. 43:21-30.)

MISCELLANEOUS

Ch. 77 (*Approved and effective 5/31/67*). Enacts Government Employee Interchange Act of 1967. Authorizes any department, agency, or instrumentality of the State to participate in programs of personnel interchange among each other, with the Federal Government, or other States for intergovernmental cooperation in resolving problems affecting this State. Gives participants reemployment rights for a year after termination of assignment; permits them to retain from the sending agency all employment benefits, including workmen's compensation coverage. Specifies that participants from Federal or other States shall not be considered employees for purposes of the workmen's compensation act.

NEW MEXICO

[Regular Session: 1/17/67-3/18/67]
[First Special Session: 3/20/67-3/20/67]

AGRICULTURAL WORKERS

Ch. 188. See Wages and Hours—All Workers.

Ch. 242. See Wages and Hours—All Workers.

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 16 (*Approved 2/27/67*).

Ch. 133 (*Approved 3/27/67*). Reenacts the school code and among other changes deletes from compulsory school attendance provisions the exemption for children between 6 and 17 years of age living more than 3 miles from public schools if not furnished free transportation. Adds an exemption from the compulsory school attendance law for children under 9 years old who are excused by the superintendent of schools of the school district in which the child lives. (Retains exemption for those graduated from high school, those 14 years old with employment certificates, or the handicapped.)

(Repeals secs. 73-13-1 through 73-13-14. Adds secs. 77-10-1 through 77-10-7, Compulsory School Attendance Law, N. M. Stat. Ann., 1953.)

Ch. 235 (*Approved 3/31/67; effective 6/18/67*). Changes the Governor's Committee on Children and Youth to a legislatively created State Committee on Children and Youth.

(Repeals secs. 13-10-1 through 13-10-7. Enacts secs. 13-11-1 through 13-11-8, N. M. Stat. Ann., 1953.)

INDUSTRIAL RELATIONS

Ch. 241 (*Approved 4/3/67; effective 6/18/67*). Invalidates any agreement in which an employee or any person agrees not to participate as a member of a labor or employer organization, or agrees to terminate his employment in the event he joins either organization. Specifies that any person who coerces or compels an employee as a condition of employment to agree not to participate as a member of a labor organization is guilty of a misdemeanor.

MIGRATORY WORKERS

Ch. 108 (*Approved 3/16/67; effective 6/16/67*). Permits the registration of buses which are used exclusively for the transportation of agricultural labor if the bus has a normal seating capacity of 40 passengers or less and the registration fee is

paid, exempts such buses from the tariff-filing requirements of the State Corporation Commission.

(Adds sec. 64-11-1.8, N. M. Stat. Ann., 1953.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 14 (*Approved 2/24/67; effective 6/16/67*).

Ch. 17 (*Approved 2/24/67; effective 6/16/67*).

Ch. 21 (*Approved 2/24/67; effective 6/16/67*). Makes several changes in mine safety laws. Prohibits use of open lights except to test air in underground mines other than coal mines. Permits use in coal mines of attended lighted acetylene torches and welding equipment. Increases the membership of the Mining Safety Advisory Board to nine from seven and specifies that one each of the four industry and four employee members shall be chosen from the coal mine industry.

(Amends secs. 63-14-16, 63-21-10, and 63-31-3, N. M. Stat. Ann., 1953.)

Ch. 148. See **Workmen's Compensation.**

Ch. 171 (*Approved 3/27/67; effective 6/18/67*). Authorizes the State to publish a compilation of the mining laws and regulations and to update and reprint the same at such intervals as it deems necessary.

(Adds sec. 63-1-3.1, N. M. Stat. Ann., 1953.)

WAGES AND HOURS—ALL WORKERS

Ch. 188 (*Approved 3/29/67; effective 6/18/67*). Approves an initial increase of 35 cents an hour in the minimum wage for most employment; extends protection to new employees, including certain farmworkers. Sets escalated rate increases in all employment categories, reaching the last step by February 1, 1969. For nonservice industries: the rate increases from 90 cents to \$1.25, later to move in two steps to \$1.60. For service industries and occupations, as defined: increases rate from 80 cents to \$1.00, to rise in two steps to \$1.30. For agriculture: sets \$1.00, to rise in two steps to \$1.30. Adds a maximum allowance for tips up to 50 percent of the hourly rate, but specifies that employees must receive a minimum rate of \$1.00 an hour.

Deletes exemption for certain workers, including those in hospitals, and those with less than 3 months' work experience. Makes the law applicable to agricultural workers who work for an employer who used more than 500 man-days of agricultural labor in any calendar quarter of the preceding year. Exempts minors under 17 years of age who are employed as hand harvest laborers, paid on a piece-rate basis, and employed on the same farm as their parents.

Specifically authorizes the labor commissioner to enforce and prosecute violations; to institute action in the appropriate dis-

trict court; and to issue rules and regulations, after public hearing.

Provides that when any employer would be covered under both the Federal Fair Labor Standards Act and the State minimum wage act, the Federal act shall apply exclusively.

(Amends secs. 59-3-21 through 59-3-24, N. M. Stat. Ann., 1953.)

Ch. 242 (*Approved 4/3/67; effective 6/18/67*). Permits the labor commission to set a subminimum wage, not lower than 50 percent of the hourly minimum, for employed handicapped persons, including those employed in agriculture; and to issue special certificates for this purpose.

(Adds sec. 59-3-22.1, N. M. Stat. Ann., 1953.)

WORKMEN'S COMPENSATION

Ch. 148 (*Approved 3/28/67; effective 6/18/67*). Provides for payments to surviving parents (in the absence of other dependents) of \$5,000 in addition to other allowable payments in case of employee's death due to the employer's negligence or failure to provide safety devices required by law.

(Amends sec. 59-10-7, N. M. Stat. Ann., 1953.)

Ch. 151 (*Approved 3/28/67; effective 6/18/67*).

Ch. 152 (*Approved 3/28/67; effective 6/18/67*). Increases maximum weekly benefits to \$45 from \$40 for total disability, schedule injuries, and death. Increases to \$22,500 from \$20,000 the aggregate maximum compensation payable for disability or death, and the maximum compensation payable for facial disfigurement to \$2,500 from \$750. Amends occupational disease disablement law to make conforming increases in weekly benefits and the aggregate maximum for disability or death.

(Amends secs. 59-10-13.6, 59-10-18.2, 59-10-18.4, 59-10-18.5, 59-10-18.7, 59-10-18.8, 59-11-14, and 59-11-19, N. M. Stat. Ann., 1953.)

MISCELLANEOUS

Ch. 89 (*Approved 3/16/67; effective upon certification that the Constitution has been amended*).

S. J. Res. 11 (*Adopted 4/14/67*). The New Mexico "Economic Development Act." Creates the five-member Economic Development Authority (includes the Governor) to cooperate with any nonprofit entity. The primary function of the Authority is the promotion, encouragement, and development of industrial or other job producing enterprises in the State and to make secured loans not in excess of 30 percent of the cost or estimated cost of such enterprises. Repeals this act 10 years after its effective date.

Provides by resolution, for submitting, at the next general

election or special election, to the electorate a proposal to amend the State constitution to allow the use of State funds for loans to aid economic development.

NEW YORK

[Regular Session: 1/4/67-4/2/67]

APPRENTICESHIP

Ch. 503. See Wages—Public Works.

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 16. See Hours of Work.

Ch. 93 (*Approved and effective 3/21/67*). Permits minors 16 years old and over in State penal training schools to work outside the institution. Working conditions, including wages, must meet State labor law requirements.

(Adds sec. 429-a, Social Welfare Law.)

Ch. 330 (*Approved and effective 4/18/67*). Removes ban on nightwork (6 p.m. to 8 a.m.) for minors under 16 who work as junior counselors or counselors-in-training at children's camps during June through August.

(Adds subdiv. 3 to sec. 171, Labor Law.)

DISCRIMINATION IN EMPLOYMENT

Ch. 202 (*Approved 4/10/67; effective 9/1/67*). Makes it unlawful for an employment agency to discriminate against an individual because of sex, in receiving, classifying, or acting upon applications or in referring applicants to employers.

(Amends subdiv. 1(b) of sec. 296, Executive Law.)

HOURS OF WORK

Ch. 16 (*Approved 2/28/67; effective 10/1/67*). Extends maximum-hours law (8/48) to telephone-answering-service firms employing minors 16 and 17 and women.

(Amends subdiv. 1 of sec. 172, Labor Law.)

Ch. 462 (*Approved 4/18/67; effective 10/1/67*). Doubles the time during which women 21 years and over may work in factories in excess of maximum hours (8/48) on special permit from the labor commissioner, by authorizing issuance of permit for up to 8 weeks in first 6 months of year, in addition to 8 weeks in last 6 months as before.

(Amends subdiv. 2(a) (3) of sec. 172, Labor Law.)

Ch. 465 (*Approved and effective 4/18/67*). Permits women over 21 years of age to work as barmaids in restaurants or taverns after midnight without a special permit.

(Amends subdiv. 3(b) (2) (a) of sec. 173, Labor Law.)

INDUSTRIAL RELATIONS¹⁹

Ch. 77 (*Approved and effective 3/14/67*). Amends the Labor and Management Improper Practices Act to require the filing with the labor commissioner of the initial financial report by a newly formed labor organization or employer association within 90 days after the date on which it first adopts a constitution, or holds an election of officers, or makes a collective bargaining agreement. (Formerly required within 30 days after making the first collective bargaining agreement.)

(Amends subdiv. 2 of sec. 726, Labor Law.)

Ch. 392 (*Approved 4/21/67; effective 9/1/67*).

Ch. 393 (*Approved 4/21/67; terminates 2/29/68*). Enacts a Public Employees Fair Employment Act, replacing Condon-Wadlin law. Retains existing prohibition against strikes; grants all public employees the right to organize and bargain collectively; reinforces the obligation of the public employer to negotiate; creates a Public Employment Relations Board to resolve representation disputes (to begin operation immediately); in contract impasses, Board could appoint a mediator and factfinding panel to make public recommendations, with final submission to the legislative body. Shifts penalty emphasis from striking employees (who were subject to misconduct penalty adapted to the seriousness of the violation) to the employee organization, which could lose checkoff rights for up to 18 months and could be subject to fine for failure to comply with court order. A municipality with substantially equivalent procedures is not subject to the Board's procedures to resolve disputes. Specifies that the Board need not relate the procedures of the New York City Transit Authority to budget submission dates in determining whether its procedures are equivalent.

(Repeals sec. 108 and adds Art. 14 (secs. 200 through 212) to the Civil Service Law; and amends sec. 751, Judiciary Law.)

Ch. 394 (*Approved and effective 4/21/67*).

Ch. 395 (*Approved and effective 4/21/67*). Exempts from penalties of Condon-Wadlin Act (which prohibits strikes by public employees) employees of New York City Housing Authority who absented themselves on January 27 and 28, 1967, and employees of New York City Welfare Department who engaged in work stoppage January 16-18, 1967.

¹⁹ New York City enacted a collective bargaining law for municipal employees, which gives labor organizations exclusive rights and creates an Office of Collective Bargaining, among its other provisions.

A. Res. 188 (*Adopted 4/1/67*). Continues until March 31, 1968 Joint Legislative Committee appointed to study industrial and labor problems; and requires a report of its legislative recommendations by December 15, 1967, and of its general activities by March 31, 1968.

MIGRATORY WORKERS

A. Res. 196 (*Adopted 4/1/67*). Continues until March 31, 1968 the Joint Legislative Committee appointed to study and investigate all aspects of the problems of migratory labor; and requires a report of its legislative recommendations by December 15, 1967, and of its general activities by March 31, 1968.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 41 (*Approved 3/7/67; effective 7/1/67*). Replaces specific provision governing size of factory exit signs with requirement that sign shall conform with rules of Board of Standards and Appeals.

(Amends subdiv. 4 of sec. 272, Labor Law.)

Ch. 501 (*Approved 4/24/67; effective 1/1/68*). Requires identifying markings on transparent glass doors in mercantile establishments and in public and commercial buildings, under rules to be issued.

(Adds sec. 241-b to the Labor Law.)

Ch. 623 (*Approved 4/27/67; effective 9/1/67*). Extends injury protection to persons engaged in tree pruning for hire by authorizing issuance of rules for this purpose.

(Adds sec. 206 to the Labor Law.)

PRIVATE EMPLOYMENT AGENCIES

Ch. 202. See **Discrimination in Employment.**

Ch. 688 (*Approved 4/27/67; effective 7/1/67*). Requires employers to pay entire placement fee of domestic dayworkers who are transported to and from job by a private employment agency, and establishes maximum fees. Prohibits transportation charge to either employee or employer. Transportation vehicle must be operated in compliance with applicable laws governing occupancy, safety, and insurance.

(Adds sec. 185-a to the General Business Law.)

TRAINING AND RETRAINING

Ch. 547 (*Approved and effective 4/24/67*). Establishes a nurse manpower center in health department to determine manpower

needs, operate recruitment services, and operate refresher courses, among other functions.

(Adds Art. 28-B, (secs. 2870 through 2872) to the Public Health Law.)

WAGE PAYMENT AND WAGE COLLECTION

Ch. 310 (*Approved 4/18/67; effective 10/1/67*). Entitles employee to recover an additional amount as liquidated damages equal to 25 percent of the total wage underpayment found due under the wage payment and the minimum wage laws when an employer willfully fails to pay wages.

(Adds subdiv. 1-a to sec. 198; amends subdivs. 1 and 2 of sec. 663, Labor Law.)

WAGES—PREVAILING WAGES

Ch. 502 (*Approved and effective 4/24/67*). Adds a requirement for 6-percent interest on backpay due an employee of a municipal corporation, to accrue 60 days after a determination that the employee did not receive prevailing wages on public works.

(Adds subdiv. 8-c to sec. 220, Labor Law.)

WAGES—PUBLIC WORKS

Ch. 503 (*Approved 4/24/67; effective 7/1/67*). Specifies that the maximum allowable ratio of registered apprentices to journeymen in any craft classification on public works should be the same as permitted the contractor on other jobs. Requires unregistered apprentices to receive the wage rates applicable to journeymen.

(Adds subdiv. 3-e to sec. 220, Labor Law.)

WAGES AND HOURS—ALL WORKERS

Ch. 310. See Wage Payment and Wage Collection.

MISCELLANEOUS

Ch. 130 (*Approved and effective 3/28/67*). Permits medical colleges affiliated with hospitals to require their employees to be fingerprinted as a condition of employment; such a requirement is prohibited for employees generally but permitted for legally incorporated hospitals supported in whole or part by public funds or private endowment, employees of the State or municipal subdivisions or departments thereof and employees of public galleries and museums.

(Amends secs. 200-b and 201-a, Labor Law.)

Ch. 380 (*Approved 4/18/67; effective 1/1/68*). Provides that if employment is conditioned upon the purchase or leasing of supplies or equipment from an employer, advertising in any media must state this condition.

(Adds sec. 396-h to the General Business Law.)

NORTH CAROLINA

[Regular Session: 2/8/67-7/6/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 173 (*Ratified and effective 4/11/67*).

Ch. 764 (*Ratified and effective 6/13/67*). Permits nightwork until midnight for girls 16 and 17 years of age instead of to 9 p.m., or to 10:30 p.m. for 17 year-olds as ticket takers, concession attendants, and cashiers in motion picture theaters.

(Amends G.S. 110-2.)

Ch. 998. See **Hours of Work**.

HOURS OF WORK

Ch. 173 and Ch. 764. See **Child Labor and School Attendance**.

Ch. 998 (*Ratified and effective 6/29/67*). Exempts female employees 18 years of age and over whose employment is covered by or in compliance with the Federal Fair Labor Standards Act from the 9-hour day and 48-hour week limitations. (A similar exemption exists for male employees covered by the 10-hour day, 56-hour week limitations.)

(Amends G.S. 95-17.)

WORKMEN'S COMPENSATION

Ch. 84 (*Approved 3/24/67; effective 7/1/67*). Increases maximum weekly benefits for all types of disability and death to \$42 from \$37.50, and the maximum aggregate to \$15,000 from \$12,000. Increases to \$4,000 from \$3,500 the allowance for disfigurement, including body-member loss, for which no compensation is otherwise payable. Increases burial allowance to \$500 from \$400.

(Amends G.S. 97-29, 97-30, 97-31, 97-38, 97-40, 97-41, 97-61.5(b) and 97-61.6.)

Ch. 846 (*Approved and effective 6/21/67*). Authorizes transfer of law enforcement personnel from one political subdivision to

another for emergency assistance and provides among other things for portability of workmen's compensation coverage.

(Adds a new section 160-20.2 to G.S.)

Ch. 1229 (*Approved and effective 7/6/67*). Makes the average-wage-computation method now in effect for volunteer firemen applicable also to members of an organized rescue squad, and makes the provision for both groups applicable to death benefits, in addition to injury benefits as before.

(Amends G.S. 97-2(5), 97-18(e) and 97-36.)

MISCELLANEOUS

Ch. 1027 (*Ratified and effective 6/30/67*). Continues indefinitely the functions of the seven-member Commission on the Education and Employment of Women established in 1965; requires a report of its findings and recommendations be made to each session of the General Assembly.

NORTH DAKOTA

[Regular Session: 1/3/67-3/5/67]

INDUSTRIAL RELATIONS

S. 211 (*Approved 3/10/67; effective 7/1/67*). Makes the labor commissioner's cease-and-desist orders enforceable by mandamus proceedings (in addition to injunction proceedings, as before), in unfair labor practices cases under the State labor relations act.

(Amends sec. 34-12-08, Century Code.)

S. 213 (*Approved 3/15/67; effective 7/1/67*). Specifically authorizes the labor commissioner to mediate labor disputes. (A former mediation provision was repealed in 1965.)

WAGE PAYMENT AND WAGE COLLECTION

H. 766 (*Approved 3/10/67; effective 7/1/67*). Authorizes the labor commissioner to take assignments of wage claims up to \$500, rather than \$200.

(Amends sec. 34-14-08, Century Code.)

WORKMEN'S COMPENSATION

S. 194 (*Approved 2/25/67; effective 7/1/67*). Makes the law specifically applicable to radiation diseases. (Also broadened the

railroad exemption by excluding from the law employment by a railroad, instead of only by a steam railroad.)

(Amends sec. 65-01-02, Century Code.)

S. 198 (*Approved 2/25/67; effective 7/1/67*). Makes lump-sum settlements (granted in the discretion of the workmen's compensation bureau) appealable to the district court.

(Amends sec. 65-05-25, Century Code.)

H. 676 (*Approved 3/6/67; effective 7/1/67*). Removes \$600 limit on additional awards in death cases and requires \$100 for each dependent child, but retains the \$300 award for the widow.

(Amends secs. 65-05-01, 65-05-07, 65-05-08, 65-05-10, 65-05-13, 65-05-14, 65-05-17, and 65-05-26.)

H. 747 (*Approved 3/3/67; effective 7/1/67*). Raises the weekly allowance for dependent children to \$5 from \$3; thus increases the maximum weekly benefit for temporary or permanent total disability, including dependents, to \$75 from \$65. Provides that these payments shall apply to all claims that are the liability of the workmen's compensation bureau on and after July 1, 1967, without regard to the date of the injury.

(Amends sec. 65-05-09, Century Code.)

H. 859 (*Approved 3/4/67; effective 7/1/67*). Improves the extra-territorial coverage provisions, and newly authorizes interstate reciprocal agreements on coverage in cases of conflicting jurisdictions.

(Adds sec. 65-08-04 and amends secs. 65-08-01 and 65-08-02, Century Code.)

OHIO

[Regular Session: 1/2/67-8/31/67]

CHILD LABOR AND SCHOOL ATTENDANCE

S. 256 (*Approved 9/12/67; effective 12/12/67*). Permits minors between 16 and 18 years to work an hour later on nights preceding nonschooldays: boys until 11:00 p.m., girls until 10:00 p.m.; and girls until 9:30 p.m. rather than 9:00 p.m. on other nights.

Exempts any minor who has completed high school or an approved vocational or special education program from the maximum hours, nightwork, and all hazardous occupations provisions for which a minimum age of 18 is set. Also exempts minors under 18 years of age from employment in specified hazardous occupations if the work is incidental to an approved vocational cooperative training or special education program.

(Amends secs. 4109.12, 4109.22, 4109.99; enacts sec. 4109.45, Rev. Code.)

DISCRIMINATION IN EMPLOYMENT

H. 457 (*Approved and effective 6/1/67*). Invalidates a hiring hall agreement which obligates a public works contractor to hire only employees referred by a union unless the union at the execution of such an agreement or within 30 days thereafter has in effect procedures for referring qualified employees without regard to race, color, religion, national origin, or ancestry; and unless it includes in its membership or otherwise has available qualified persons for referral without discrimination.

(Enacts secs. 153.581 and 153.591, Rev. Code.)

INDUSTRIAL RELATIONS

H. 457. See **Discrimination in Employment**.

OCCUPATIONAL SAFETY AND HEALTH

S. 39 (*Approved 4/23/67; effective 7/24/67*). Removes the prohibition on employment of females on specified types of wheels and belts, and makes safety requirements applicable.

(Amends sec. 4107.23, Rev. Code.)

WAGES—PREVAILING WAGES

S. 225 (*Approved 8/25/67*). Amends the definition of construction to add the painting or decorating of any public facility; and to include work done by part-time employees who have not completed probationary periods in the classified service of a public employer.

(Amends sec. 4115.03.)

WAGES—PUBLIC WORKS

H. 457. See **Discrimination in Employment**.

WAGES—WAGE GARNISHMENT

H. 737 (*Approved 9/14/67; effective 12/14/67*). Amends the exemption provision to provide a variable percentage-based method of wage payment—for family heads and widows: 30 percent of wages for workers paid by the week, 65 percent for those paid biweekly or semimonthly, and 82½ percent for those paid monthly. Exempts \$200, rather than \$100, of previous 30 days' earnings of other residents.

(Repeals sec. 1911.41; amends 1911.40, 2329.62, 2329.66, and 2715.02.)

H. Res. 43 (*Adopted 8/26/67*). Requests the Legislative Service Commission to make a comprehensive study of the laws dealing with certain practices including wage garnishment.

WORKMEN'S COMPENSATION

H. 268 (*Approved 9/11/67; effective 12/11/67*).

H. 331 (*Approved 8/1/67*). Raises maximum benefits for temporary total disability to \$63 from \$56 for the first 12 weeks of disability; retains maximum benefits of \$56 a week for additional weeks. Raises the maximum weekly benefits to \$56 from \$49 for permanent total disability and death, and the minimum weekly benefit for permanent total disability to \$45.50 from \$40.25.

Retains the provision, in cases of nonschedule permanent partial disability, that the employee may elect compensation under one of two plans: (a) providing for compensation based upon percentage of impairment of earning capacity; or (b) providing compensation based upon the percentage that the disability bears to total disability, but raises the maximum weekly benefit under plan (a) to \$56 from \$49, retaining the aggregate maximum of \$10,000; and under (b) raises the maximum weekly benefit to \$52.50 from \$49 for the number of weeks which equals such percentage of 200 weeks.

Raises the total maximum for death to \$17,000 from \$15,000. Raises the maximum burial allowance to \$750 from \$500. Increases the semiannual payment from the surplus fund to the vocational rehabilitation fund to \$60,000 from \$15,000. Makes cardiovascular and pulmonary diseases incurred by firefighters compensable.

Amends Rev. Codes, secs. 4123.14, 4123.34, 4123.341, 4123.411-4123.414, 4123.52, 4123.56-4123.59, 4123.66, 4123.84; enacts 4123.40; repeals 4123.31, 4123.36, 4123.40.)

OKLAHOMA

[Regular Session: 1/3/67-5/11/67]

HOURS OF WORK

S. Con. Res. 22 (*Adopted 4/24/67*). Provides for a legislative committee to study women's hours of work, emergency exceptions, and seating and toilet facilities; and to report recommendations to the next legislative session.

PRIVATE EMPLOYMENT AGENCIES

Ch. 384 (*Approved and effective 5/23/67*). Amends the private

employment agency law. Exempts charitable organizations and temporary help agencies from the definition of an agency.

Raises the annual license fee to \$100 from \$50; increases the amount of the bond to be required to \$1,000 from \$500. Extends cutoff of maximum placement fee of 45 percent of the first month's salary to include salaries up to \$499.99; and on salaries over \$500 a month, the maximum placement fee to be agreed between the parties. Establishes method for the computing salaries of commission personnel. Defines temporary employment as less than 60 days rather than 90 days.

Creates a five member advisory council; and sets certain standards for applicants for licenses to operate agencies.

(Repeals 40 O.S. 1961, secs. 39, 42, 44, 45, 48, and 49; amends and rearranges secs. 36, 37, 40, 41, 43, 50, and 51; adds new subsecs.)

STATE DEPARTMENT OF LABOR

S. Res. 42 (*Adopted 4/20/67*). Directs the executive committee of the legislative council during the 1967 legislative interim to refer to the appropriate committee to study the subject of all operations of the labor commissioner's office and directs the committee to report back its findings and recommendations.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 346 (*Approved and effective 5/18/67*). Prohibits an employer from issuing to an employee a check, draft, store order, or scrip unless same is redeemable in lawful money without discount and at face value.

(Amends 40 O.S. 1961, sec. 165.2.)

WORKMEN'S COMPENSATION

Ch. 101 (*Approved and effective 4/24/67*). Increases to \$300,000 from \$200,000 the reserve level in the special indemnity fund at which further payments into the fund are suspended; authorizes specified types of investment of 80 percent of sums held to the fund's credit.

(Amends 85 O.S. 1961, sec. 173(f).)

Ch. 331 (*Approved and effective 5/18/67*). Extends benefits to certain public employees engaged in hazardous employment including those in enforcement and other work for the Department of Safety; in school districts; commodity warehouses, and public institutions under the Department of Public Welfare, and certain employees in the Office of the Fire Marshal.

(Amends 85 O.S. 1961, sec. 2, as amended by sec. 1, Ch. 237, O.S. 1965.)

Ch. 341. See **Miscellaneous.**

MISCELLANEOUS

Ch. 36 (*Approved and effective 3/24/67*). Amends provisions making it unlawful for a State department to employ an alien to exempt institutions of higher learning, State hospitals, including veterans facilities, health, and highway agencies, and schools for mentally retarded.

(Amends O.S 1966, Cum., Annual P.P., sec. 255.)

Ch. 341 (*Approved 5/18/67; effective 10/10/67*). Authorizes any department, agency, or instrumentality of the State to participate in programs of interchange of personnel among each other, or with the Federal Government, or with other States for inter-governmental cooperation in solution of problems affecting the State. Provides, among other standards, that participating employees who suffer disability or death are to be considered employees of the permanent agency and as such are eligible for benefits under that agency's compensation program, unless the employee elects to receive similar benefits under the program of the assigned agency.

OREGON

[Regular Session: 1/9/67-6/14/67]

[First Special Session: 10/30/67-11/21/67]

AGRICULTURAL WORKERS

Ch. 114. See **Workmen's Compensation.**

APPRENTICESHIP

Ch. 6 (*Approved and effective 2/20/67*). Broadens the scope of the apprenticeship law to apply also to training programs in nonapprenticeable trades or crafts, with comparable provision for standards, training agreements, registration, and supervision. Changes the name and composition of the council. (Retains the labor commissioner as a member.) Authorizes the formation of as many local joint apprenticeship committees or local training committees, or both, as are necessary for the administration of local problems. Provides that each local joint committee shall consist of an equal number of representatives of employer and employee organizations not to exceed eight; also provides for joint committees at the State level to act as consulting or coordinating groups for the local groups and the council in the development of statewide standards for programs.

Requires the monthly salary of an apprentice or trainee employed by a State agency or political subdivision to be based

upon the monthly prevailing wage of a journeyman in the same occupation. Authorizes the establishment of preapprenticeship training in institutions of higher education for those trades and crafts for which it has been determined there is a need for additional skilled persons.

Repeals ORS secs. 660.140 and 660.150; amends secs. 660.006, 660.010, 660.015, 660.020, 660.160–660.990.)

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 347 (*Approved and effective 6/2/67*). Permits the issuance of a special permit to a minor under 18 for employment otherwise prohibited by law if he has completed vocational or equivalent training for such employment. Limits permit to periods when the public schools are closed for more than 30 days, except for high school graduates.

(Adds new section to ORS 653.)

Ch. 374. See **Workmen's Compensation.**

Ch. 527 (*Approved and effective 6/25/67*). Prohibits operators of public amusement places from employing minors under 18 years to dance in a public performance. Exempts minors who have obtained written permission from judges of the juvenile court in his own county. Formerly the exception applied to minors under 16.

(Repeals ORS 653.325; amends ORS 167.235.)

HOURS OF WORK

Ch. 596. See **Wages and Hours—All Workers**

MIGRATORY WORKERS

Ch. 598 (*Approved 7/6/67; effective 9/13/67*). Requires a farm operator to notify the local health officer in writing prior to opening housing facilities for migratory farmworkers.

(Adds new section to ORS 446.510–446.660; amends ORS 446.990.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 150. See **Workmen's Compensation.**

STATE DEPARTMENT OF LABOR

Ch. 56. See **Training and Retraining.**

Ch. 218. See **Wage Payment and Wage Collection.**

TRAINING AND RETRAINING

Ch. 6. See **Apprenticeship.**

Ch. 56 (*Approved 3/14/67; effective 7/1/67*). Restricts the labor department's expenditure of Federal funds for on-the-job train-

ing and retraining programs. Makes such expenditures subject to limitations imposed by the legislature, or in the absence of such limitations, subject to approval of the legislature, or the emergency board, if approval is required between sessions.

(Amends ORS 651.115.)

Ch. 374. See Workmen's Compensation.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 218 (*Approved 5/4/67; effective 9/13/67*). Strengthens labor commissioner's authority to take assignments of wage claims by authorizing him to take liens and other instruments of security for payment of wages, and by empowering him to sue other liable persons, in addition to employers as before. Newly provides that the assigning wage claimant shall not be regarded as a party to any action brought by the commissioner.

(Amends ORS 652.330 and 652.390.)

WAGES—PREVAILING WAGES

Ch. 6. See Apprenticeship.

Ch. 167 (*Approved and effective 4/19/67*). Specifies that public works contracts shall not require payment of premium overtime for work performed on Veterans' Day, unless required by a labor agreement. Retains provision requiring such premium pay for work performed on Saturdays and other legal holidays.

(Amends ORS 279.316 and 279.334.)

Ch. 207 (*Approved 5/1/67; effective 9/13/67*). Directs disbursing officers to require public works contractors and subcontractors to file sworn statements indicating the hourly rates paid to workmen each time the prevailing wage changes, and, in addition, makes specific the required filing before the first and final payments are made on contracts.

(Amends ORS 279.354.)

WAGES—WAGE GARNISHMENT

Ch. 468 (*Approved 6/25/67; effective 9/13/67*). Exempts from garnishment, assignment, attachment, and similar process benefits payable under the occupational disease law; formerly such exemption applied only to injury benefits.

(Amends ORS 656.234.)

WAGES AND HOURS—ALL WORKERS

Ch. 596 (*Approved 7/6/67; effective 2/1/68*). Enacts a statutory minimum wage law for men and women, and replaces the former

wage board law for women and minors only, and sets a minimum wage of \$1.25 an hour. Repeals the maximum hours provisions for women. Retains the premium overtime requirement for women only, as in existing wage orders, but bases the premium pay on the minimum wage instead of the employee's regular rate, as formerly. Exempts certain employees, such as domestic workers, public employees, outside salesmen, taxicab drivers, and persons subject to regulation under the Federal Fair Labor Standards Act.

Authorizes the labor department to determine wages and hours for minors under 18 years; and to issue rules to employment of such other persons as the mentally and physically handicapped and persons over 65 years. Permits deductions from minimum wage of the "fair market value" of food, lodging, or other facilities or services furnished by the employer. Permits employers to include commission payments as part of minimum wage and sets recordkeeping requirements.

(Repeals ORS 653.005, 653.105, 653.110, 653.115, 653.120, 653.125, 653.205, 653.215, 653.220, 653.225, 653.230, 653.235, 653.240, 653.245, 653.250, 653.260, 653.270, and 653.275; amends ORS 653.305 and 653.505; creates new provisions.)

WORKMEN'S COMPENSATION

Ch. 97 (*Approved 4/3/67; effective 7/1/67*). Specifies all notices of proceedings required by the law to obtain compensation benefits shall be sent to the employer, the compensation department, and to the contract carrier, if any. Makes an exception with respect to injuries that occurred before January 1, 1966.

(Amends ORS 656.262 and 656.388.)

Ch. 114 (*Approved and effective 4/3/67*). Postpones effective date of the provision covering farmworkers, as defined, from January 1, 1967 to January 1, 1968. Makes clear that such workers were not subject to compulsory coverage between January 1, 1967 and the effective date of this law, April 3, 1967.

(Amends 9b, Ch. 285, ORS 1965; adds new provisions.)

Ch. 150 (*Approved 4/19/67; effective 7/1/67*). Repeals the provision which required every employer of three persons or more or those subject to the workmen's compensation act to report all accidents to the workmen's compensation board within 5 days of such accident.

(Repeals ORS 654.705 and 654.710; amends ORS 654.990.)

Ch. 253 (*Approved and effective 5/15/67*). Clarifies and makes more specific the authority of the compensation department to insure an employer as fully as any private carrier.

(Amends ORS 656.752.)

Ch. 286 (*Approved 5/19/67; effective 7/1/67*). Makes death benefits payable to a surviving spouse, instead of to a widow or invalid widower as before.

(Amends ORS 656.204.)

Ch. 341 (*Approved 6/2/67; effective 7/1/67*). Strengthens prohibition against failure to provide workmen's compensation insurance by directing the circuit court to enjoin such employer from further employing workmen until he has complied with the act.

(Amends ORS 656.002, 656.016, 656.052, 656.054, 656.417, and 656.504; creates new provisions.)

Ch. 374 (*Approved 6/12/67; effective 9/13/67*). Deems as "workmen" for purposes of the law all unpaid trainees participating in a work-experience program of a school district. Permits the fixing of wages for computing benefits without regard to the State's wage and hour law.

(Adds new provisions to ORS 656.001 to 656.794.)

Ch. 468. See **Wages—Wage Garnishment.**

Ch. 474 (*Approved 6/25/67; effective 7/1/67*). Permits a city or county to elect workmen's compensation coverage for jail inmates doing authorized work. Requires the city or county to furnish the workmen's compensation department with a list of persons covered.

(Adds new provisions to ORS 656.001 to 656.794.)

Ch. 529 (*Approved 6/27/67; effective 7/1/67*). Makes partial loss of specified body members compensable in relation to degree of disability for complete loss. Increases to 320 from 192 the total number of degrees by which disability is measured, increasing also the number of degrees for specified losses. Converts from monthly to weekly payments for permanent partial disability (at the same maximum rate as for temporary total disability), with a minimum of \$25 a week instead of \$100 monthly.

(Amends ORS 656.214 and 656.216.)

Ch. 626 (*Approved and effective 7/7/67*). Directs the compensation board to make rules relative to the prompt submission of medical reports in order to insure prompt reporting and payment of compensation.

(Adds new provisions to ORS 656.001 to 656.794.)

MISCELLANEOUS

Ch. 289 (*Approved 5/19/67; effective 7/1/67*). Provides that the Corrections Division of the Board of Control may enter into agreements with the Division of Vocational Rehabilitation on work release programs for prisoners to work at gainful private employment.

(Amends ORS 144.430.)

PENNSYLVANIA

[Regular Session: 1/3/67-12/21/67]

AGRICULTURAL WORKERS

H. 762. See Discrimination in Employment.

CHILD LABOR AND SCHOOL ATTENDANCE

H. 534. See Wages and Hours—All Workers.

DISCRIMINATION IN EMPLOYMENT

H. 762 (*Approved 11/27/67*). Extends coverage of the anti-discrimination law by removing the exemption for individuals employed in agriculture and by exempting employers of fewer than four employees instead of fewer than six as before. Adds an exemption for employees who reside in the personal residence of the employer.

(Amends 43 P.S. 954.)

INDUSTRIAL RELATIONS

H. 1478 (*Approved 11/27/67*). Provides that existing transportation systems acquired by a city of the third class or its authority shall have transferred with them all employee-benefit rights, earned or accruing, including rights under provisions of existing collective bargaining agreement.

Requires the public agency to enter into written contracts with such employees through their accredited representatives or labor organizations. Provides for appointment of a three-member arbitration board to settle disputes where agreement is not reached by collective bargaining. Specifies that the board's determination shall be final and binding.

TRAINING AND RETRAINING

H. 1726 (*Approved 11/27/67; effective 7/1/67*). Provides matching funds for participation in programs of Federal Manpower Development and Training Act during the fiscal year ending June 30, 1968.

WAGES AND HOURS—ALL WORKERS

H. 534 (*Approved and effective 1/17/68*). Repeals and reenacts the minimum wage act. Extends coverage to certain hotel and restaurant employees, and to health-care workers in nonprofit institutions. Increases statutory minimum wage to \$1.15 from

\$1.00 an hour, beginning February 1, 1968, with annual increments of 15 cents to \$1.60 by February 1, 1971. Requires premium overtime pay for hours in excess of 42 in a workweek until February 1, 1969, and in excess of 40 thereafter. Authorizes the labor commissioner to set a rate of not less than \$1.00 an hour for students, apprentices, and learners.

Adds exemptions from minimum wage and overtime provisions; for example, for minors under 18 in seasonal employment, or for students under 24 in a nonprofit health or welfare agency. Exempts certain employees from the overtime provisions, such as those in hotels, motels, or restaurants, and in the processing of agricultural commodities.

Sets allowances for gratuities up to 50 percent of applicable minimum wage rate. Allows the labor commissioner to determine reasonable cost of furnishing board, lodging, or other facilities, but specifies that allowances for such cost are not valid where disallowed under a collective bargaining contract. Provides for the appointment by the commissioner of a nine-member minimum wage advisory board to consult with him and to conduct public hearings, at the commissioner's request, on regulations for covered occupations.

(Repeals secs. 333.1-333.18 of 43 P.S.; enacts new sections.)

WORKMEN'S COMPENSATION

H. 533 (*Approved 1/17/68; effective 1/1/68*). Raises maximum weekly benefit for total disability and schedule injuries to \$60 from \$52.50 and the minimum to \$35 from \$31.50, or to \$22 from \$21 for employees earning less than the minimum.

Increases maximum weekly benefits for nonschedule permanent-partial disability to \$45 from \$42.

Raises maximum weekly benefits for death to \$39-\$60 from \$34-\$52.50, according to the number of dependents; removes the 500-week limitation on the maximum period for such benefits and a related provision which allowed a widow upon remarriage to receive compensation for one-third of the remaining compensable period.

(Amends 77 P.S. secs. 306 and 207.)

H. 1454 (*Approved and effective 11/22/67*). Amends the definition of employee to include members of volunteer ambulance corps injured while actually engaged as corpsmen.

(Amends Act. No. 283, June 21, 1939, P.L. 566, as last amended by Act of April 12, 1956, P.L. 1956, P.L. 1468.)

PUERTO RICO

[Regular Session: 1/9/67-5/15/67]

HOURS OF WORK

S. 130 (*Approved and effective 6/6/67*). Authorizes the labor commissioner to issue permits to women over 18 years of age for work after 10 p.m., if specified conditions are met. Exempts women employed in a professional capacity and as hospital employees from the nightwork provisions. Requires payment of twice the regular rate to women permitted to work during the 1-hour meal period.

(Amends 29 LPRA secs. 457 and 458.)

INDUSTRIAL RELATIONS

Act 109 (*Approved 6/6/67*). Creates, and makes an appropriation for funds on a matching basis, a program of technical and economic assistance within the labor department for labor unions to develop worker education programs that will eventually make collective bargaining more effective and meaningful. Requires labor unions to submit plans for the approval of the labor commissioner.

OCCUPATIONAL SAFETY AND HEALTH

Act 7 (*Approved and effective 3/26/67*). Authorizes the labor department, in addition to the health agency, to enter and inspect any premises to carry out the responsibilities for regulatory control of sources of ionizing radiation.

(Amends 24 LPRA, secs. 251a, 251b, 251h, and 251p.)

Act 108. See **Wages—Miscellaneous.**

Act 111. See **Workmen's Compensation.**

STATE DEPARTMENT OF LABOR

Act 7. See **Occupational Safety and Health.**

Act 109. See **Industrial Relations.**

WAGE PAYMENT AND WAGE COLLECTION

Act 103 (*Approved 6/6/67*). Requires that a written employment contract be executed to show the length of a probationary period before the employer may be exempt from payment of 1 month's salary to a probationary employee discharged without cause. Provides that the probationary period may not exceed 3 months unless extended to 6 months by the labor commissioner.

WAGES—MISCELLANEOUS

Act 108 (*Approved and effective 6/6/67*). Provides that every worker in an unsafe place of employment affected by a permanent stop-order of a court shall be paid for the number of hours not worked up to 208 hours.

(Amends 29 LPRA, sec. 335.)

WAGES AND HOURS—ALL WORKERS

Act 110 (*Approved and effective 6/6/67*). Raises to \$1.60 from \$1.25 the highest rate which may be set by the minimum wage board as the minimum hourly wage for an industry.

(Amends 29 LPRA, secs. 245, 245g, 245k, and 245p.)

WORKMEN'S COMPENSATION

Act 111 (*Approved 6/6/67*). Grants double compensation for injury, illness, or death resulting from the employer's violation of safety or health laws or regulations.

(Adds Article 3-B to 11 LPRA.)

RHODE ISLAND

[Regular Session: 1/3/67-5/26/67]

APPRENTICESHIP

S. 414 (*Approved and effective 5/24/67*). Establishes an apprenticeship council within the labor department. (A former council established by Executive Order of the Governor had substantially the same duties and functions as the newly created council.)

(Adds Ch. 49, secs. 28-45-1 through 28-45-12, to Title 28, Gen. Laws.)

INDUSTRIAL RELATIONS

S. 386 (*Approved and effective 4/19/67*). Grants municipal employees, with certain exceptions, the right to organize and to bargain collectively with municipal employers on hours, wages, and all other terms and conditions of employment. Prohibits strikes. Authorizes the State labor relation board to conduct representation elections, and follow prescribed procedures for determining and certifying bargaining units. Either party may request conciliation and mediation. If these procedures fail, parties may request arbitration; decisions shall be binding on all matters not involving expenditure of money. Requires the

labor commissioner and his conciliators to be available to municipal employer and employee organizations to conciliate grievances or contract disputes.

(Adds Ch. 9.4, secs. 28-9.4-1 through 28-9.4-19, to Title 28, Gen. Laws.)

OCCUPATIONAL SAFETY AND HEALTH

S. 672 (*Approved and effective 5/5/67*). Provides for entrance into the New England Compact on Radiological Health Protection. Designates the health department director as the Compact administrator. (Five of the six eligible States have approved entry. See **Maine**, page 53, for purpose of the Compact.)

STATE DEPARTMENT OF LABOR

S. 414. See **Apprenticeship**.

WAGES AND HOURS—ALL WORKERS

H. 1012 (*Approved 5/31/67; effective 7/1/67*). Provides a two-step increase in the minimum wage, effective July 1, 1967 and July 1, 1968. For most employees, including those in learners and apprentices jobs after they have been employed 90 days, the rate increases from \$1.25 an hour to \$1.40, and then to \$1.60. For certain nonprofit organizations, except nonprofit hospitals, from \$1.00 to \$1.25, and then to \$1.40. Increases allowances for tips from 10 cents to 20 cents an hour for drivers of taxicabs and of limited public motor vehicles, and from 40 cents an hour allowance for others receiving tips to 35 percent of the applicable minimum until July 1, 1968, and 40 percent thereafter.

(Amends secs. 28-12-3, 28-12-5, and 28-12-10, Gen. Laws.)

SOUTH CAROLINA

[Regular Session: 1/10/67-7/14/67]

APPRENTICESHIP

S. 169 (**Rat. No. 568**) (*Approved and effective 6/27/67*). Enacts a voluntary apprenticeship law. Creates an apprenticeship division within the labor department to administer the act. Provides for a Council appointed by the Governor, composed of three representatives each of employees (only one of whom is required to represent organized labor) and employers, with the labor commissioner serving as chairman. Makes the Council

responsible for the formulation of policies for administration of the act; for the establishment of standards for apprentice agreements; and for the issuance of rules and regulations to carry out the intent of the act.

Defines standards for apprentice agreements, including provisions that combined hours of work and instruction shall not exceed the maximum hours fixed by law, and that the apprentice be paid not less than the minimum wage set by the Fair Labor Standards Act.

(Adds secs. 40-421 through 40-430 to Title 40, C.S.C. 1962, 1967 Cum. Supp.)

CHILD LABOR AND SCHOOL ATTENDANCE

H. 1310 (Rat. No. 183) (*Approved and effective 3/28/67*). Enacts a compulsory school attendance law to replace the law repealed in 1955, and now requires attendance of children between 7 and 16, inclusive, with certain exceptions.

Specifies that in order to facilitate an orderly transition, each school district board may determine the effective date of the act, but not later than July 1, 1974.

(Adds Art. 1.1, secs. 21-757 through 21-757.8 to Title 21 C.S.C. 1962, 1967 Cum. Supp.)

HOURS OF WORK

H. 1072 (Rat. No. 201) (*Approved and effective 4/4/67*). Deletes provision that banned the employment of women in mercantile establishments after 10 o'clock. Retains the maximum 12-hour day, and 60-hour week.

(Amends sec. 40-81, C.S.C. 1962, 1967 Cum. Supp.)

OCCUPATIONAL SAFETY AND HEALTH

H. 1563 (Act No. 302) (*Approved and effective 5/1/67*). Enacts a comprehensive atomic energy and radiation control act to replace a 1962 act creating the Nuclear Energy and Space Commission. Designates the health department as the administrative agency. Retains certain functions of the former commission, such as authority to issue rules and regulations, and to enter into Federal-State agreements for transfer to the State of certain Federal responsibilities. Among other things, adds a requirement for recordkeeping and personnel monitoring. Establishes a Technical Advisory Radiation Control Agency to advise the department regarding standards, rules, and regulations. Pro-

vides for public hearing in case of modification of rules and regulations or in granting exceptions thereto.

(Adds secs. 1-400.11-1-400.16 to Title 8, C.S.C. 1962, 1967 Cum. Supp.)

STATE DEPARTMENT OF LABOR

S. 169 (Rat. No. 568). See Apprenticeship.

WAGES—WAGE GARNISHMENT

S. 35 (Rat. No. 125) (*Approved and effective 3/16/67*). Prohibits any employer from withholding wages of a resident employee under a garnishment obtained in another State unless based on a judgment against the employee in South Carolina. Applies only to debts contracted in South Carolina.

(Adds sec. 1731.1 to Title 10, C.S.C. 1962, 1967 Cum. Supp.)

WORKMEN'S COMPENSATION

H. 1198 (Rat. No. 679) (*Approved and effective 6/30/67*). Raises maximum weekly death benefits to \$50 from \$35.

(Amends sec. 72-180, C.S.C. 1962, 1967 Cum. Supp.)

SOUTH DAKOTA

[Regular Session: 1/17/67-3/11/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 201 (*Approved 2/28/67; effective 7/1/67*). Amends the motor vehicle law; no longer permits a minor between 14 and 16 years of age to operate a motor vehicle in connection with employment, except on a farm or ranch of a parent or legal guardian.

(Amends sec. 44.03B04(4), SDC 1960 Supp.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 107 (*Approved 3/7/67; effective 7/1/67*). Strengthens the radiation control act administered by the State health agency; for example, by adding a specific requirement for licensing and for recordkeeping, including a requirement for personnel monitoring. Authorizes the Governor to enter into Federal-State agreements for transfer to the State of certain Federal responsibilities.

(Adds sec. 27.17A and amends secs. 27.17A02, 27.17A04, 27.17A05, and 27.17A09, SDC 1960 Supp.)

WORKMEN'S COMPENSATION

Ch. 346 (*Approved 3/10/67; effective 7/1/67*). Increases total maximum death benefits to \$15,000 from \$12,000, and to \$20,000 from \$15,000 if there are children under 18.

(Amends sec. 64.0402, SDC 1960 Supp.)

Ch. 347 (*Approved 3/10/67; effective 7/1/67*). Raises to \$16,000 from \$14,000 the total maximum benefits for all types of disability.

(Amends sec. 64.0403, SDC 1960 Supp.)

TENNESSEE

[Regular Session: 1/2/67-5/26/67]

DISCRIMINATION IN EMPLOYMENT

Ch. 241 (*Approved 5/18/67; effective 7/1/67*). Creates a 15-member Commission for Human Development, to be appointed by the Governor. Directs the Commission to: promote and develop fair and equal treatment and opportunity for all individuals regardless of race, color, creed, or national origin; assist local governmental agencies with similar objectives; cooperate with other public and private agencies; and report annually to the Governor.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 194 (*Approved 5/10/67; effective 7/1/67*). Requires all students, teachers, and others to wear industrial quality eye-protective devices while participating in vocational or industrial arts courses or laboratories involving the use of specified hazardous substances, equipment, or processes.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 322. See *Miscellaneous*.

WAGES—WAGE GARNISHMENT

Ch. 302 (*Approved 5/25/67; effective 7/1/67*). Adopts a new formula and increases the amount of earnings exempted from garnishment. Retains allowance for family heads of \$2.50 for each dependent child under 16. Exempts, for resident family head: 50 percent of weekly earnings plus dependent allowances, with a minimum of \$20 and a maximum of \$50 plus allowances; and for other residents: 40 percent of weekly earnings with a minimum of \$17.50 and a maximum of \$40. Requires employer

to calculate and pay to employee the exempted amount, and pay balance of funds due into court having jurisdiction of case. Formerly, the weekly exemption for a resident family head was \$17 plus dependent allowances and \$12 for other residents.

(Amends sec. 26-207, and repeals sec. 26-209, Tenn. Code Ann.)

WORKMEN'S COMPENSATION

Ch. 313 (*Approved 5/26/67; effective 7/1/67*). Raises maximum weekly benefits for all types of disability and death to \$42 from \$38 and the aggregate maximum for permanent partial, permanent total disability, and death to \$16,000 from \$14,000.

Requires the employer to furnish reasonable medical and surgical benefits for 2 years, rather than 1 year, and raises the maximum amount of such benefits to \$3,500 from \$1,800. Increases to \$1,500 from \$700 the additional amount which may be allowed for unusual medical expenses. Increases benefit weeks to 200 from 175 for the loss of a leg.

(Amends secs. 50-1004 and 50-1007 Tenn. Code Ann.)

MISCELLANEOUS

Ch. 322 (*Approved and effective 5/24/67*). Makes it unlawful for a person with fraudulent intent to issue checks or other negotiable papers when he knows he has insufficient funds on deposit to cover the amount involved. Specifically makes the law and its penalties applicable to employers who make wage payments to employees under such circumstances.

TEXAS

[Regular Session: 1/10/67-5/29/67]

DEBT POOLING

H. 452 (*Approved 5/23/67*). Adds an exemption for debt-counseling services provided by any nonprofit organization and by any agency or subdivision of the State or of the United States from the law prohibiting the business of debt pooling.

INDUSTRIAL RELATIONS

H. 160 (*Approved and effective 5/12/67*). Authorizes cities of more than 10,000 population to adopt a program permitting municipal employees to authorize checkoff of membership dues, owing to a bona fide employee association. Permits the govern-

ing body of any such city adopting the program to deduct a reasonable fee from each employee to cover the costs of the program.

H. 710 (*Approved and effective 6/14/67*). Adds a prohibition against any persons who in any way prevent others from engaging in peaceful and lawful picketing. Reduces the penalty from a felony to a misdemeanor for persons who prevent others from engaging in lawful vocations.

(Amends Vernon's Ann. P.C. Art. 1621b.)

OCCUPATIONAL SAFETY AND HEALTH

H. 559 (*Approved and effective 5/11/67*). Enacts an occupational safety law applicable to all employers except certain carriers, and to all employees except domestic household workers. Creates a three-member occupational safety board composed of a public member and the commissioners of labor and of health to administer the law through a newly created occupational safety division (in the health department). Requires the board to make and adopt rules setting reasonable safety standards, after public hearing. Requires every employer to furnish a safe place of work.

STATE DEPARTMENT OF LABOR

H. 559. See Occupational Safety and Health.

WAGES AND HOURS—ALL WORKERS²⁰

WORKMEN'S COMPENSATION

S. 166 (*Approved 5/19/67*). Deletes the maximum limitation of \$200 for furnishing artificial appliances to an injured employee. (Retains the provision that the cost of appliances be in keeping with salary or wages received by an employee.)

(Amends Vernon's Ann. Civ. St. Art. 8306.)

S. 308 (*Approved and effective 5/15/67*). Provides that appointed or elected executive officers of business corporations may be covered as employees under the act.

(Amends Vernon's Ann. Civ. St. Art. 8309.)

H. 298 (*Approved 5/5/67; effective 8/28/67*). Authorizes all independent school districts in any county, rather than only those in a county with a population of 1,200,000 or more, to provide benefits or take out insurance for all employees.

(Amends Vernon's Ann. Civ. St. 8309e-1.)

²⁰ A city ordinance in Mathis, Texas sets minimum wages of \$1.00 an hour to rise to \$1.25 by January 1, 1968. Another in San Antonio sets \$1.25, but this one is being challenged in the courts.

H. 680 (*Approved 6/17/67; effective 8/28/67*). Authorizes employers to voluntarily assume liability under the act and purchase insurance for additional employees not within coverage of the act. Specifies that an employer's failure to purchase this optional insurance shall not be construed as depriving him of the common law defenses.

(Amends Vernon's Ann. Civ. St. 8308.)

H. 1190 (*Approved 6/17/67; effective 8/28/67*). Requires the highway department to provide insurance under the act, or require that it be provided, for employees of any person who leases tractors, cutting machinery, or other equipment to the department and uses such equipment to perform work under contract with the department.

(Amends Vernon's Ann. Civ. St. 6674s.)

H. 1217 (*Approved 6/17/67; effective 8/28/67*). Authorizes drainage districts which have been converted into conservation and reclamation districts to provide coverage for their employees under the act.

(Amends Vernon's Ann. Civ. St. 8309c.)

UTAH

[Regular Session: 1/9/67-3/9/67]

CHILD LABOR AND SCHOOL ATTENDANCE

H. Res. 7 and H. J. Res. 31. See *Miscellaneous*.

OCCUPATIONAL SAFETY AND HEALTH

Ch. 48 (*Approved 3/10/67; effective 5/9/67*). A Radiation Protection Act. Directs the health department to establish and enforce a radiation control program. Authorizes the health board to require registration of radiation sources and to adopt rules and regulations for control of harmful exposure.

Authorizes the Governor to enter into Federal-State agreements for transfer to the State of certain Federal responsibilities.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 64 (*Approved 3/21/67; effective 5/9/67*). Requires checks or drafts used as payment of wages be negotiable on demand at a bank, the name and address of which must appear on the instrument.

(Amends sec. 34-10-4, Utah Code Ann. 1953.)

WORKMEN'S COMPENSATION

Ch. 65 (*Approved 3/15/67; effective 7/1/67*).

Ch. 67 (*Approved 3/15/67; effective 7/1/67*). Raises the maxi-

imum weekly benefits for all types of disability and death to a range of \$44-\$62 from a range of \$42-\$60, according to number of dependents. Makes comparable increases in the total maximum compensation payable. Makes conforming increases in the occupational diseases disability law.

(Amends secs. 35-1-65 through 35-1-68; 35-2-15 and 35-2-56, Utah Code Ann. 1953.)

Ch. 66 (*Approved 3/10/67; effective 5/9/67*). Requires that the injured employee be furnished a copy of the employer's accident report, and the physician's report.

(Amends secs. 31-5-97 and 31-5-98, Utah Code Ann. 1953.)

MISCELLANEOUS

H. Res. 7 (*Adopted 3/9/67*).

H. J. Res. 31 (*Adopted 3/9/67*). Requests the Legislative Council to make a study of various subjects for a legislative program for the next legislature; for example, recodification of the State labor laws, mine safety, the impact of Federal funds on State and local functions and programs, and the feasibility of making a pilot study of a 4-quarter school year. Expresses the appreciation and records the favor of the legislature for the report of the labor law review committee that prepared a bill for recodification of the labor laws based on its study. (The bill passed the Senate too late for consideration in the House.)

VERMONT

[Regular Session: 1/4/67-4/15/67]

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 177. See Wages and Hours—All Workers.

INDUSTRIAL RELATIONS

Ch. 198 (*Approved 4/17/67; effective 7/1/67*). Enacts a labor relations act, granting workers the right to organize and bargain collectively or to refrain from such activities; and specifies unfair labor practices for employers and employees. Applies to any employer of five employees or more, including municipalities, but not the State, other political subdivisions, or incorporated or interstate school districts. Gives duly recognized agents of both public and private employees exclusive representation. Prohibits municipal employees from striking or recognizing a picket line if such activities will endanger the safety or welfare of the public, but gives them substantially the same rights and pro-

tections as given private employees including the services of the mediation and arbitration board. The law, patterned after the Federal Labor Management Relations (Taft-Hartley) Act, will be administered through a newly created labor relations board within the labor department. Makes certain exemptions, such as employees of nonprofit hospitals; agricultural labor; domestic service in a private home; independent contractors; and supervisors.

Amends the mediation and arbitration act to make it mandatory, rather than permissible, for notification to the labor commissioner by the employer prior to instituting a lockout; by a labor organization representing private employees prior to voting a strike; and by both parties of the expiration of a collective bargaining agreement 30 days prior to such expiration. Changes the method for selecting the three-member arbitration board from a panel recommended by the commissioner to one recommended by the parties. Makes the findings and award of the board binding for a period not to exceed 1 year instead of for 6 months.

(Adds secs. 1701–1705 to Title 21, V.S.A.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 26 (*Approved and effective 3/14/67*). Provides for entrance into the New England Compact on Radiological Health Protection. Designates the health commissioner as the Compact commissioner. (Five of the six eligible States have approved entry. See **Maine**, page 53, for purpose of Compact.)

(Adds secs. 1601–1622 to Title 18, V.S.A.)

Ch. 27 (*Approved 3/14/67; effective 7/1/67*). A radiation control law. Establishes a regulatory program under the board of health which is granted specific rulemaking authority. (In 1963, limited regulations on standards for radiation protection were issued under the board's general rulemaking authority.) Provides for licensing of radiation sources, inspection, and record-keeping. Authorizes Federal-State agreements for transfer to the State of certain Federal responsibilities.

(Adds secs. 1651–1658 to Title 18, V.S.A.)

STATE DEPARTMENT OF LABOR

Ch. 71 (*Approved 4/6/67; effective 7/1/67*). Changes the name of the labor department to Department of Labor and Industry, and places the minimum wage board along with other councils and commissions in the Department.

(Amends Title 3, V.S.A., sec. 212 and Title 21, V.S.A., sec. 1.)

Ch. 198. See **Industrial Relations**.

WAGES AND HOURS—ALL WORKERS

Ch. 71. See State Department of Labor.

Ch. 177 (*Approved and effective 4/17/67*). Increases the minimum wage to \$1.40 from \$1.25 an hour. Removes the exemption for employers subject to the Fair Labor Standards Act. Adds a requirement for payment of overtime after 48 hours a week at one and one-half times the employee's regular rate, with certain exceptions.

Requires each industry wage board convened to study the impact of the student exemption to determine possible abuse, and similar study by the commissioner in all other industries for which boards have not been convened; commissioner to report findings annually to the legislature beginning January 3, 1968.

(Amends Title 21, V.S.A., secs. 383 and 384.)

WORKMEN'S COMPENSATION

Ch. 14 (*Approved and effective 3/1/67*). Makes permanent, by deleting the expiration date of June 30, 1967, the provision that an employee working concurrently for more than one employer shall have the total sum of his earnings from the several employers used in determining his average weekly wages, and that only the employer on whose work the injury occurs is liable for insurance.

(Amends Title 21, V.S.A., sec. 650.)

Ch. 32 (*Approved and effective 3/16/67*). Provides that no action to recover damages for an ionizing radiation injury or an injury having a prolonged latent development shall be brought more than 3 years after the person had or ought to have had knowledge of the injury, but in no event more than 20 years from date of last occurrence to which the injury is attributed; and that no action shall be barred for such latent injuries, unless the person was awarded damages for the latent injury or knew or should have known of the latent damage.

(Adds sec. 518 to Title 12, V.S.A.)

Ch. 51 (*Approved 3/23/67; effective 7/1/67*). Makes the law applicable to employers of three workers or more, rather than six or more.

(Amends Title 21, V.S.A., sec. 616.)

Ch. 122 (*Approved 4/17/67; effective 7/1/67*). Changes statutory benefit amounts (\$41 maximum, \$21 minimum) to a flexible figure (determined annually as a percentage of the State's average weekly wage used to determine unemployment insurance benefits), thereby increasing the weekly benefits and aggregate compensation for total disability and death. Maximum weekly

benefits now computed at 50 percent of State's average weekly wage, the minimum at 25 percent, but not less than a maximum of \$52 beginning July 1, 1967 (\$54 after July 1, 1968) and not less than a minimum of \$26 (\$27 after July 1, 1968). For total disability increases allowance for dependents to \$3.50 from \$2.50. "Limit of compensation" now means 330 times the maximum weekly compensation instead of a total aggregate of \$13,530. Reduces from 21 to 14 days the waiting period before benefits are to be paid for the first 7 days of total disability. Increases death benefits by 10 percent for certain dependents; removes the 330-week limitation on benefits for widows and makes them payable until entitled to social security benefits, remarriage, or death.

Provides full medical benefits by removing the \$5,000 limit and the provision authorizing extension of such limit.

(Amends Title 21, V.S.A., secs. 601, 632, 634, 635, 640, 642, 645, and 646.)

Ch. 165 (*Approved 4/15/67; effective 7/1/67*). Increases to \$7,000 from \$6,000 the maximum compensation for disability and death from silicosis or asbestosis.

(Amends Title 21, V.S.A., secs. 1005 and 1007.)

WASHINGTON

[Regular Session: 1/9/67-3/9/67]

[First Special Session: 3/10/67-4/30/67]

DEBT POOLING

Ch. 201 (*Approved 3/21/67; effective 6/8/67*). Regulates the business of debt adjusting (also called debt pooling). Includes licensing and bonding requirements and other regulatory provisions, under the administration of the motor vehicles department.

INDUSTRIAL RELATIONS

Ch. 101 (*Approved 3/20/67; effective 6/8/67*). Grants employees of port districts, with certain exceptions, the right to organize and bargain collectively on employment relations, including wages, hours, and grievance procedures. Specifies that nothing in the act shall authorize employees to engage in strikes. Provides procedures for settling jurisdictional disputes; and allows port districts to utilize services of State or Federal agencies in carrying out its responsibilities to enter into agreements with employee organizations. Permits checkoff of dues.

Ch. 108-X (*Approved 4/28/67; effective 7/1/67*). Enacts the public employees collective bargaining act. Provides a uniform basis for implementing the right of public employees to join and be represented by a labor organization of their own choosing and to bargain collectively on wages, hours, and conditions of work. Authorizes the labor department to determine bargaining representatives and to grant exclusive rights to the organization designated as the representative. Specifies election procedures; permits checkoff of dues. Applies to county, municipal, or any other political subdivision of the State except those covered by other laws. Provides that upon failure of bargaining representative or public employer to conclude an agreement, any matter in dispute may be submitted by either party to the mediation service. Specifies that nothing in this act shall authorize employees to engage in strikes. Authorizes the personnel board to implement the act for State employees, and the labor department for all others.

(Adds new sections to RCW, and amends RCW 41.06.150.)

OCCUPATIONAL SAFETY AND HEALTH

Ch. 99 (*Approved 3/20/67; effective 6/8/67*). Permits the labor department to grant a waiver from the State's explosives safety law to persons manufacturing, handling, or storing explosives provided such activities are in compliance with applicable national or Federal explosives safety standards.

(Amends RCW 70.74.020.)

Ch. 113-X (*Approved 5/3/67*). Creates an eight-member joint legislative committee on nuclear energy to make continuing studies of the problems relating to the development, use, and control of nuclear energy for peaceful purposes; to make an annual report to the legislature; and to request any necessary legislative action. (This act expires January 30, 1969.)

STATE DEPARTMENT OF LABOR

Ch. 99. See **Occupational Safety and Health.**

Ch. 108-X. See **Industrial Relations.**

WAGE PAYMENT AND WAGE COLLECTION

Ch. 210 (*Approved 3/21/67; effective 6/8/67*). Increases to \$1,000 from \$300 the maximum amount of unpaid wages an employer is required to pay a survivor if no executor exists; however, the employer is required to pay the survivor the entire indebtedness if a community property agreement exists.

(Amends RCW 49.48.120.)

WAGES—PREVAILING WAGES

Ch. 14-X (*Approved 4/8/67; effective 6/8/67*). Extends coverage of the prevailing wage law to public building service maintenance contracts.

(Amends RCW 39.12.020.)

WAGES—PUBLIC WORKS

Ch. 70 (*Approved 3/21/67; effective 6/8/67*). Exempts contracts for public works of less than \$2,000 from the bonding requirement. Permits the public entity to withhold the full cost of the contract for 30 days after final acceptance or until receipt of all necessary releases from the tax commission and the labor department. Prohibits the State or any of its political subdivisions from executing a contract with an unlicensed or unregistered contractor.

(Adds new section to RCW and amends RCW secs. 39.04.020 and 39.08.010.)

WAGES AND HOURS—ALL WORKERS

Ch. 80 (*Approved 4/26/67; effective 7/30/67*). Raises the minimum wage to \$1.40 from \$1.25 an hour, and beginning January 1, 1968, to \$1.60 an hour.

(Amends RCW 49.46.020.)

MISCELLANEOUS

Ch. 86 (*Approved 4/28/67; effective 6/8/67*). In employer insolvency proceedings, gives preference to wage claims up to \$600 for each claimant, earned within preceding 3 months, over claims by State agencies.

WEST VIRGINIA

[Regular Session: 1/11/67–3/14/67]

DISCRIMINATION IN EMPLOYMENT

Ch. 89 (*Approved 3/17/67; effective 7/1/67*). A civil rights act, prohibiting discrimination in employment and public accommodations, because of race, religion, color, national origin, or ancestry by employer, employment agencies, labor organizations, or apprenticeship or training committees. Designates the Human Rights Commission as the administrator and authorizes it to enter into court enforceable conciliation agreements. Requires the Commission to investigate charges; to attempt to elimi-

nate unlawful practices by conference, conciliation, and persuasion; hold hearings on complaints; and, if necessary, to issue court enforceable cease-and-desist orders.

WORKMEN'S COMPENSATION

Ch. 202 (*Approved 3/21/67; effective 3/11/67*). Requires county boards of education to furnish workmen's compensation coverage for their employees. Permits civil defense organizations and volunteer fire departments to elect to be covered by the workmen's compensation law.

(Amends sec. 23-2-1, W. Va. Code 1966 Ann.)

Ch. 203 (*Approved 3/21/67; effective 7/1/67*). Increases maximum weekly benefits for all types of disability to \$47 from \$42, and the minimum to \$24 from \$22. Increases death benefits to \$90 from \$75 a month (or to \$20.77 from \$17.31 a week). Increases various allowances for surviving dependents and continues the allowance to a surviving child until age 22 if he is a full-time student, instead of termination of benefits at age 18. Raises burial allowance to \$500 from \$300. Among other changes, extends time limit for filing occupational disease claims from 2 years after last exposure to 3 years.

(Amends secs. 23-4-1, 23-4-6, 23-4-8, 23-4-10, 23-4-15, 23-4-15b, and 23-4-15c, W. Va. Code 1966 Ann.)

WISCONSIN

[Regular Session: 1/11/67-12/16/67]

AGRICULTURAL WORKERS

Ch. 350. See **Workmen's Compensation.**

APPRENTICESHIP

S. J. Res. 15. See **Miscellaneous.**

CHILD LABOR AND SCHOOL ATTENDANCE

Ch. 39 (*Approved 5/23/67; effective 5/28/67*). Deletes from the compulsory school attendance law the option given a child who has completed 8th grade to attend a vocational and adult education school full time in lieu of attending any other school. Permits the school board to allow a student in good academic standing to attend school part time during his last school term preceding high school graduation.

(Amends W.S.A. 40.77(1)(b) and adds 40.77(1)(d).)

Ch. 236 (*Approved 12/6/67; effective 12/21/67*). Specifies that the minimum age of 18 for employment in dance halls and pavilions shall not apply to dances held solely for minors by private clubs or civic organizations and admission is limited to club membership.

(Amends W.S.A. 103.69(3)(d) and 103.78(1)(d).)

DISCRIMINATION IN EMPLOYMENT

Chs. 75 and 327. See State Department of Labor.

Ch. 234 (*Approved 12/6/67; effective 12/21/67*). Adds sex as a prohibited basis of discrimination by an employer, labor organization, or licensing agency. Makes it unlawful to refuse to hire, or to terminate from employment or licensing any individual, or to discharge or otherwise discriminate against any person because he has made a complaint or assisted in any proceeding involving a discriminatory practice.

INDUSTRIAL RELATIONS

Ch. 62 (*Approved 6/30/67; effective 7/9/67*). Permits municipal employees and employers to select a mediator by agreement or mutual consent.

(Amends W.S.A. 111.70(4)(b).)

Chs. 75 and 327. See State Department of Labor.

Ch. 113 (*Approved 8/17/67; effective 8/26/67*). Permits an employer in the motor-freight industry, and a labor organization representing employees in a multi-State bargaining unit, to execute an "all-union agreement" without a referendum vote, unless such an election is requested by 30 percent of the affected employees, as otherwise required to make such agreements valid.

(Amends W.S.A. 111.06(1)(c)(1).)

MIGRATORY WORKERS

Chs. 75 and 327. See State Department of Labor.

OCCUPATIONAL SAFETY AND HEALTH

Chs. 75 and 327. See State Department of Labor.

Ch. 350. See Workmen's Compensation.

STATE DEPARTMENT OF LABOR

Ch. 75 (*Approved 7/12/67; effective 8/1/67*).

Ch. 327 (*Approved 1/12/68; effective 2/18/68*). Reorganizes the executive branch of the State government. Gives the Industrial Commission departmental status and renames it the

Department of Industry, Labor, and Human Relations. Continues responsibility for its administration under a three-member, full-time commission. Transfers to the Department the program functions of regulation of migrant housing and environmental sanitation, formerly in the health agency; and transfers intact an independent agency, formerly known as the Governor's Commission on Human Rights, to a newly created equal rights division.

Implements the reorganization act by creating councils in the department on equal rights and workmen's compensation. Creates also a council on employment relations in the Employment Relations Commission which remains an independent agency; and councils on aging and radiation in the health agency.

TRAINING AND RETRAINING

S. J. Res. 15. See Miscellaneous.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 192 (*Approved 11/6/67; effective 12/1/67*). Raises to \$500 from \$200 the maximum amount of a wage claim that the labor department may accept for collection.

(Amends W.S.A. sec. 101.10.)

WAGES—PREVAILING WAGES

Ch. 7 (*Approved 3/21/67*). Adds a requirement that prevailing wage determinations for highway construction or improvement contracts shall include payments for prevailing fringe benefits, as defined.

(Amends W.S.A. sec. 103.50.)

Ch. 26 (*Approved 5/5/67*). Restores a provision that made the prevailing wage and overtime requirements on public works contracts applicable to certain employees who make deliveries of mineral aggregate necessary for the work under the contract, but exempts employees of a commercial establishment engaged in the processing, manufacturing, or delivery of materials or products.

(Amends W.S.A. sec. 103.49.)

WAGES AND HOURS—WOMEN AND MINORS

Ch. 343 (*Approved 1/19/68; effective 2/4/68*). Exempts from the minimum wage law any employee engaged in home delivery or in direct sale of newspapers.

(Amends W.S.A. 104.01(2).)

WORKMEN'S COMPENSATION

Chs. 75 and 327. See **State Department of Labor.**

Ch. 350 (*Approved 1/23/67*). Effective March 1, 1968, increases to \$104.29 from \$97.15 the maximum average weekly earnings used in computing benefits for temporary disability, permanent total disability, and death, thereby raising the maximum weekly benefits to \$73 from \$68 for temporary disability and permanent total disability, and to \$52.14½ from \$48.57½ for death, and the aggregate death benefits to \$20,858 from \$19,430. Increases to \$67.86 from \$65.72 the maximum average weekly earnings to be used in computing benefits for permanent partial disability, thereby raising the maximum weekly benefits to \$47.50 from \$46.

Provides that if illegal employment of a minor who is injured is due to fraudulent written evidence of age presented by the minor, the increased compensation shall be paid to the State fund rather than to the minor.

Adds a dollar limit of \$7,500 that compensation may be increased for employer's failure to provide, or decreased for employee's failure to use, safety precautions.

Reduces to 200 from 250 weeks the qualification for eligibility under the State fund for preexisting disability.

Effective July 1, 1968, extends coverage to employers of fewer than three employees if the employer has paid wages of \$500 or more in any calendar quarter. Retains the coverage provision for farmers: anyone who employs six employees or more on any 20 days a year.

(Amends W.S.A. secs. 22.01(11)(d), 102.04(1)(b), 102.11(1), 102.17(1)(a), 102.31(1)(a), 102.555(4), 102.57, 102.58, and 102.59. Repeals sec. 102.05(2); repeals and reenacts 102.05(1) and 102.48(1); enacts 102.60(5)(b).)

MISCELLANEOUS

S. J. Res. 15 (*Adopted 3/1/67*). Memorializes the U. S. Congress to enact legislation to provide on-the-job or apprentice training benefits for veterans under the Veterans' Readjustment Benefits Act of 1966.

WYOMING

[Regular Session: 1/10/67-2/18/67]

OCCUPATIONAL SAFETY AND HEALTH

Ch. 55. See **Workmen's Compensation.**

Ch. 100 (*Approved 2/16/67; effective 5/20/67*). Requires all pupils and teachers in any public school to wear eye-protective devices while participating in certain courses that involve hazardous processes, equipment, or substances. Requires the trustees of each school district to furnish such devices.

Ch. 185 (*Approved 3/3/67; effective 5/20/67*). Creates a commission to study health and safety conditions of industrial employees and to make legislative recommendations to the Governor by November 15, 1968, for the adoption of codes, the establishment of an administrative agency, and the issuance of regulations.

WAGE PAYMENT AND WAGE COLLECTION

Ch. 30 (*Approved 2/2/67; effective 5/20/67*). Raises to \$3,000 from \$1,000 the bond required of certain nonresident employers to insure the payment of wages.

(Amends sec. 27-6, Wyo. Stat. 1957.)

Ch. 88 (*Approved 2/15/67; effective 5/20/67*). Permits an employer to withhold monies owed to him from wages due an employee who has quit or has been discharged. Directs the court to allow reasonable attorney fees in successful employee suits for unpaid wages in cases of quits or discharges.

(Amends sec. 27-6, Wyo. Stat. 1957.)

WAGES—PREVAILING WAGES

Ch. 184 (*Approved 3/3/67; effective 5/20/67*). Enacts a prevailing wage law applicable to public works construction costing \$5,000 or more, whether or not done under public supervision or paid for wholly or in part from public funds. Requires payment to laborers, workmen, and mechanics employed by contractors or a public body itself of not less than the prevailing wages in the locality, as determined by the public body awarding a contract. Requires the public body to file copies of all determinations with the labor commissioner.

Provides that objections to wage determinations may be filed with the labor commissioner who is directed to hear the objections and make a final determination subject to court review. Also requires the commissioner to investigate violation com-

plaints and institute actions for penalties. Gives workmen a right of action to recover underpayments.

Makes the law inapplicable where in conflict with Federal prevailing wage determinations.

WAGES—PUBLIC WORKS

Ch. 27 (*Approved 2/2/67; effective 5/20/67*). Permits overtime work on public works in excess of 8 hours a day in nonemergency situations, on payment of time and one-half the regular established hourly rate. Previously work was limited to 8 hours a day except for specified emergencies.

(Amends sec. 9-672, Wyo. Stat. 1957.)

WAGES AND HOURS—ALL WORKERS

Ch. 164 (*Approved 2/24/67; effective 5/20/67*). Provides three-step increase in minimum rates to \$1.10 from \$1 an hour at first, to rise finally to \$1.30 by January 1, 1969. Adds a provision allowing up to 50 percent for tips, but specifies that the minimum rate paid must not be less than \$1.00 an hour. Authorizes the labor commissioner to take assignment of claims for collection of unpaid minimum wages in cases where the employee is financially unable to sue for back wages.

(Amends secs. 27-208 and 27-210, Wyo. Stat. 1957.)

WORKMEN'S COMPENSATION

Ch. 55 (*Approved 2/9/67; effective 3/1/67*). Makes the law applicable to injury or death resulting from exposure to ionizing radiation, by adding such exposure to the definition of extra-hazardous employment. (Radiation disease thus becomes the first compensable occupational disease.)

(Amends sec. 27-49, Wyo. Stat. 1957.)

Ch. 112 (*Approved 2/17/67; effective 5/20/67*). Raises maximum weekly benefits for temporary total disability to a range of \$43.85-\$63.46, according to number of dependents (was \$40.38-\$60), and the minimum benefits to a range of \$33.46-\$49.61 a week (was \$30-\$46.15).

(Amends sec. 27-79, Wyo. Stat. 1957.)

Ch. 115 (*Approved 2/18/67; effective 7/1/67*). Amends the definition of workman to include county or fire district paid and volunteer firemen, and to certain other State employees engaged in extra-hazardous work for purposes of the workmen's compensation act.

(Amends secs. 27-49, 29-57, and 15.1-305, and repeals secs. 15.1-309 and 15.1-313, Wyo. Stat. 1957, Compiled 1965.)

UNITED STATES

[90th Congress—First Session]

Public Law 90-31 (*Approved 6/24/67*). Amends the Mental Health Act to authorize the Secretary of Health, Education, and Welfare to continue through June 30, 1970, the program of grants to the States for the construction of community mental health centers; and the related authority for grants for the training of professional and technical staff to operate community mental health centers.

Public Law 90-35 (*Approved 6/29/67*). Amends and extends through fiscal year 1970 the Higher Education Act of 1965, including the teacher corps and a teacher fellowship program. Creates four new teacher-training programs providing grants and contracts: for attracting qualified persons to the field of education; for local educational agencies experiencing critical shortages of teachers; for providing advanced training and retraining (both preservice and inservice); and for fellowship, traineeship, institutes, and preservice and inservice training for persons serving as teachers, administrators, or educational specialists in colleges and universities.

Public Law 90-36 (*Approved 6/29/67*). Extends for 1 year seven public welfare programs under the Social Security Act and the Public Welfare Amendments of 1962. Extends programs that involve several types of public assistance respecting children of unemployed parents, including the community work and training program for certain recipients and certain foster-care programs.

Public Law 90-40 (*Approved 6/30/67*). Makes miscellaneous changes in the Military Selective Service Act, including a directive for the National Security Council to advise the Director of Selective Service and to coordinate with him the work of State and local volunteer advisory committees on the identification, selection, and deferment of needed professional and scientific personnel and those engaged in, and preparing for, critical skills and other essential occupations. (In part, the Council's functions supplant those heretofore performed by the Departments of Labor and Commerce in establishing lists of critical skills and essential activities.) Continues the provision for deferment of persons in employments or activities found essential to the maintenance of the national health, safety, or interest,

including occupational training programs of the apprenticeship type.

Public Law 90-42 (*Approved 7/1/67*). Extends the grant programs through fiscal year 1972 for community planning, services, research and development projects, and training programs authorized under the Older Americans Act of 1965.

Public Law 90-54 (*Approved 7/17/67*). Resolves to extend for the third time no-strike, no-lockout provisions of section 10 of the Railway Labor Act with respect to the railway labor dispute, until 12:01 a.m. of the 91st day after enactment of this resolution—October 16, 1967.²¹

Maintains the Nation's railroad transport without interruption, while attempting to allow the greatest freedom of collective bargaining possible, by providing machinery for the settlement of the dispute between the six shopcraft unions and nearly all the major railroad carriers. Provides for appointment of a five-member Special Board by the President to attempt by mediation to resolve the railway labor dispute, and to assist the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute.²²

Public Law 90-77 (*Approved 8/31/67*). Veterans' Pension and Readjustment Assistance Act of 1967. Amends various provisions to increase pensions and allowances for wartime veterans and their widows and to provide readjustment assistance to "Vietnam era" veterans.

Authorizes a cost-of-living increase in nonservice-connected pensions of World Wars I and II and Korean conflict veterans, their widows and surviving children; increases pensions of Spanish-American and earlier war widows; creates a new \$100 "housebound" pension rate for veterans receiving pensions under pre-1960 laws; increases benefits for certain veterans needing "regular aid and attendance"; and creates a presumption of "permanent and total disability" for pensioners 65 and over.

Defines the "Vietnam era" and adds such "era" to the definition

²¹ Two previous joint resolutions during the first session of the 90th Congress temporarily extended the status quo period under section 10 of the Railway Labor Act with respect to the railroad shop controversy. S. J. Res. 65 (P.L. 90-10) extended such period until 12:01 a.m. May 3, 1967. S. J. Res. 79 (P.L. 90-13, passed by the Congress on May 1, 1967) made an additional extension until 12:01 a.m. June 19, 1967.

²² Mediation proceeded to "finality" in this labor dispute. The railroads announced on October 13, 1967, that they would not contest in court the award of the "Morse Board," which went into effect October 16, 1967. This award provided for a general increase of 6 percent for the first 18 months of a period starting January 1, 1967, and 5 percent for the final 6 months. About 100,000 mechanics and journeymen also receive an additional 20 cents an hour over the 2-year period.

of "period of war" for purposes of veterans' benefits; provides non-service-connected death and disability pensions for "Vietnam era" veterans, their widows and children in the same manner as for veterans of earlier wars, as well as a burial allowance.

Amends several provisions dealing with education and training. Increases educational assistance payments to veterans under the Cold War GI Bill. Authorizes payment of on-the-job training allowances to eligible veterans pursuing a full-time apprenticeship program approved by a State and meeting the standards of apprenticeship published by the Secretary of Labor, or a program of other training on the job approved by such a State under certain Veterans Administration educational assistance programs. Training assistance is not available for occupations requiring a short training period, such as a service station or soda fountain attendant, window washer, or other unskilled or common labor positions. Provides assistance allowances to veterans taking agricultural courses for a minimum of 12 hours a week in an educational institution. Extends the eligibility limit under the War Orphans Educational Assistance program from age 23 to 26.

Public Law 90-82 (*Approved 9/5/67*). College Work-Study Program Amendments of 1967. Amends the Economic Opportunity Act of 1964 to permit the maximum of 15 working hours per week in the program to be averaged over a semester or its equivalent term instead of a strict limitation of 15 hours each week. Reduces the Federal share of compensation for students by annual gradations from 90 percent to 85, 80, and 75 percent. Formerly, the Federal share dropped abruptly from a maximum of 90 percent to the maximum of 75 percent.

Public Law 90-91 (*Approved 9/27/67*). Amends the Food Stamp Act of 1964 to extend the program for low-income families for 2 years by authorizing appropriations for 1968 and 1969.

Public Law 90-99 (*Approved 10/3/67*). Amends the Vocational Rehabilitation Act. Extends certain provisions and makes several improvements, including the establishment of a new grant-in-aid program to States for pilot or demonstration projects providing the complete range of vocational rehabilitation services to handicapped migratory agricultural workers, including members of the handicapped worker's family who are with him whether or not such family members are handicapped, when they are necessary to the vocational rehabilitation of the handicapped worker (and a handicapped family member). Requires the Secretary of Labor to provide rules for determining who are migratory agricultural workers.

Provides that, effective July 1, 1969, approved State plans for rehabilitation services must eliminate residence requirements. Services are to be provided to "any individual who is present in the State."

Public Law 90-103 (*Approved 10/11/67*). Amends the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965. Provides for payment of the expenses of the Federal Cochairman of the Appalachian Regional Commission and his staff entirely by the Federal Government, since he should be solely responsible to that Government, it should bear all the expenses of his office. (Formerly, all administrative expenses would have been shared equally, after the first 2 years, by the Federal Government and the States). Permits Federal agencies to treat service with the Commission or any regional commission as "Federal service" in the case of those who were Federal employees immediately before and within 6 months after their "commission service."

Continues the grant-in-aid program for demonstration health projects, and establishes a new program of loans and grants for planning and technical assistance to stimulate the use of the National Housing Act on mortgage and loan programs for low-income families in areas of the region determined by the Secretary of Housing and Urban Development to have significant potential for future growth. Redefines and expands the Appalachian Region to include additional counties—2 in Alabama, 20 in Mississippi, 14 in New York, and 1 in Tennessee. Adds to the functions of each regional commission established under the Public Works and Economic Development Act the responsibility for developing a comprehensive long-range economic plan approved by the Secretary of Commerce. Adds a new section providing that no Federal assistance shall be approved under the statute unless the Secretary of Commerce is satisfied that the assisted project will be properly and efficiently administered, operated, and maintained.

Public Law 90-148 (*Approved 11/21/67*). Air Quality Act of 1967. Provides for the control of air-pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States. Authorizes the making of grants to air pollution control agencies for the development, establishment, improvement, or maintenance of control programs and provides for grants to such agencies for the purpose of planning control programs.

Provides that the prevailing wage in accordance with the Davis-Bacon Act shall be paid to all laborers and mechanics employed

by contractors or subcontractors on projects assisted under this act.

Public Law 90-169 (*Approved 12/1/67*). Extends the expiration date (until November 1, 1968) for the emergency mass transportation grant program under which the Department of Housing and Urban Development provides grants to States and local public bodies and agencies for the acquisition, construction, or improvement of urgently needed urban mass transportation facilities.

Public Law 90-170 (*Approved 12/4/67*). Amends the Mental Retardation Facilities Community Mental Health Centers Construction Act of 1963. Extends until the end of fiscal 1970 the temporary grant-in-aid programs for construction of university-affiliated mental retardation facilities and of community facilities for the mentally retarded.

Establishes new grant-in-aid programs to, among other things, help pay the salaries of professional and technical personnel for the initial operation of new facilities or new services; and to assist in providing professional or advanced training for personnel engaged in or preparing to engage in employment as physical educators or recreation personnel.

Public Law 90-174 (*Approved 12/5/67*). Amends the Public Health Service Act in the following respects: Increases and extends for 2 additional years—until July 1, 1970—the appropriation authorizations for various project grants for public health services, including graduate training in public health and area-wide and comprehensive health planning. Establishes an expanded program for research and demonstration projects on new methods of organization, development, and financing of health services, facilities, and resources of hospitals and medical centers.

Adds to the Hill-Burton Act an authorization to make loans of up to two-thirds of any additional costs of an experimental or demonstration hospital construction project having the specific purpose of applying novel means to reduce costs where costs have risen substantially after initial approval of the project.

Amends the Nurse Training Act of 1964 to define "federally sponsored students" as including those nursing students awarded loan funds from the student nurse revolving fund or an educational opportunity grant payment. Authorizes the Secretary of Health, Education, and Welfare to make a comprehensive survey of serious hunger and malnutrition and health problems related thereto in the United States.

Public Law 90-198 (*Approved 12/14/67*). Extends the life of the Commission on Civil Rights to January 31, 1973.

Public Law 90-202 (*Approved 12/15/67*). Enacts the Age Discrimination in Employment Act of 1967 (effective June 12, 1968) to promote the employment of the older worker based on ability rather than age; to prohibit arbitrary age discrimination in employment; and to help employers and employees find ways of meeting problems arising from the impact of age on employment. Applies to employees who are at least 40 but less than 65 years of age, employed by employers of 50 persons or more until June 30, 1968 (and thereafter 25 persons or more) in an industry affecting interstate commerce; employment agencies serving such employers; and labor organizations with 50 members or more until July 1, 1968 (and thereafter 25 members or more) in an industry affecting interstate commerce. Prohibits certain acts and practices by employers, employment agencies, and labor unions and exempts certain differentials based on bona fide job requirements other than age.

Authorizes the Secretary of Labor to make investigations, to issue rules and regulations to administer the law, and to enforce its provisions by legal proceedings where voluntary compliance cannot be obtained. Provides that acts which it prohibits shall be deemed to be prohibited under the Fair Labor Standards Act, and that amounts owing to a person as a result of a violation shall be deemed unpaid minimum wages or unpaid overtime compensation for purposes of the provisions of the Fair Labor Standards Act which authorizes enforcement through civil actions in the courts.

The Secretary of Labor or an aggrieved individual may bring suit under the act. Suits to enforce the act must be brought within 2 years after the cause of action accrued, or in the case of a willful violation, within 3 years.

Requires the Secretary of Labor to attempt to secure voluntary compliance by informal methods of conciliation, conference, and persuasion, before he brings civil action; and before an individual brings court action, he must give the Secretary not less than 60 days' notice of his intention to do so.

Provides that the Secretary of Labor, in addition to his responsibilities for administering and enforcing its regulatory provisions, shall undertake research and carry on a continuing program of education and information concerning the needs and abilities of older workers and their potentials for continued employment and contribution to the economy.

Public Law 90-222 (*Approved 12/23/67*). Makes numerous amendments to the Economic Opportunity Act, including the fol-

lowing: Lowers age of enrollees in the Job Corps to 14, and specifies that enrollee must come from low-income and otherwise deprived family. Provides that an enrollee will be assigned to the center closest to his home where a vacancy exists. Requires that at least 40 percent of the male enrollees be assigned to the Civil Conservation Centers; and that by end of fiscal 1968, 25 percent of enrollees be women and that the Director of the Office of Economic Opportunity (OEO) attempt to achieve a goal of 50 percent.

Requires coordination of all Federal work and training programs, such as the Neighborhood Youth Corps, New Careers and Operation Mainstream. Authorizes programs to deal with incidence of long-term unemployment among persons 55 and over. Enlarges thrust of programs to include assistance to rural areas having substantial outmigration to eligible urban areas.

Requires community action agencies to be, or to be designated by, a State or local government agency. Requires the community action agency to administer its program through a local board of not more than 51 members consisting equally of (1) public officials, (2) representatives of the poor from the area served, and (3) other interested groups.

Enumerates eight special programs to be funded through CAP's. Included are the ongoing Head Start, Upward Bound, Legal Services, and Comprehensive Health Services programs. Among those added are: Emergency Food and Medical Services, an emergency measure to provide food and medical services to alleviate starvation and malnutrition among the poor, administered by the Secretaries of Health, Education, and Welfare, and Agriculture; a Senior Opportunities and Services program administered by HEW to identify and meet the needs of the poor who are over 60 years. Provides for pilot projects to aid the elderly, and focus on the problems of rural poverty.

Expands Federal programs to aid migrant and seasonal farmworkers. Adds projects for health services, legal services, and consumer training and counseling.

Adds day care projects and authorizes Federal assistance to pay up to 90 percent of the cost of day-care projects for children from low-income families or from urban or rural areas with large concentrations of low-income persons to enable parents to undertake or continue basic education, vocational training, or gainful employment. Gives the States until July 1, 1969 to disregard income received under the act when determining eligibility for welfare assistance.

Requires the Director of the Office of Economic Opportunity to expand opportunities for participation in the domestic volunteer service programs by establishing part-time and short-term pro-

grams. Authorizes the Director to conduct demonstration projects for the rehabilitation of criminal offenders between the ages of 16 and 25. Provides that the Director shall encourage the "fullest participation of older persons" as volunteers and shall encourage the development of volunteer services for older persons. Prohibits use of volunteers in the Service to America funds "to finance labor or antilabor organization or related activity."

Requires the Director of OEO, Secretaries of Labor and HEW, and heads of other concerned agencies to effect coordination of all programs within the executive branch relating to training of individuals for the purpose of improving or restoring employability. Requires the Secretary of Labor to assure that Federal-State employment service provides and develops its capacity to support programs. Also requires the Secretary of Labor to gather from agency heads administering training programs, employment information that will facilitate placement of those being trained.

Public Law 90-247 (*Approved 1/2/68*). Amends the Elementary and Secondary Education Act of 1965. Adds among other changes, a requirement that, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be a migratory child for a period not exceeding 5 years, during which he resides in the area served by the agency carrying on a program or project under the act. Formerly, a child had to have migrated the preceding year to a school district before the district could receive funds for the child under the special programs.

Public Law 90-248 (*Approved 1/2/68*). Amends the Social Security Act. Provides an across-the-board increase of 13 percent to all beneficiaries under the old-age, survivors and disability insurance (OASDI) programs, effective February 1, 1968. Raises the monthly minimum benefits to \$55 from \$44. Raises the taxable base to \$7,800 beginning January 1, 1968. Increases to \$40 a month the special benefits to persons 72 years of age and over who had not met social security work requirements. Provides graduated cash benefits for disabled widows or widowers and a stricter definition of disability. Provides additional benefits for dependent children whose mothers were covered by OASDI before they died, retired, or became disabled. Provides cash benefits for young workers who were disabled before the age of 31 and had been covered by OASDI for at least 6 quarters. Permits reimbursement under the doctor-bill plan on the basis of itemized, but unpaid, bill. Provides "medicare" beneficiaries with additional days of hospital coverage. Requires States to assure that payments under "medicaid," includ-

ing payments for drugs, not be in excess of reasonable charges.

Requires the Secretary of Health, Education, and Welfare to make a study of the cost of including (under "medicare" reimbursement) all prescription drugs and require the establishment of a method of controlling the cost and quality of drugs purchased through federally aided programs.

Limits Federal participation in State "medicaid" programs but permits States to establish different income levels for eligibility under "medicaid" based on variations in the cost of housing in a State. Permits only nursing homes meeting certain specifications to be used for public assistance recipients under "medicaid."

Establishes in the Department of Labor a work incentive program for recipients of aid to families with dependent children (AFDC). Requires State welfare agencies to refer to the Secretary of Labor all aid recipients age 16 years and over. Directs the Secretary of Labor to develop an employment plan for each person referred, but first an attempt will be made to find jobs or positions in on-the-job training programs for all persons referred; and, for those remaining, the Secretary will provide institutional or work experience training in order to improve employability whenever possible. For those who could not immediately profit from such training, special work projects are provided under which recipients will receive wages prescribed by the Secretary in lieu of direct welfare payments. Recipients refusing without good cause to participate in the work-incentive program will lose their entitlement to welfare payments.

Provides that the first \$30 plus one-third of any excess amount earned by a welfare family each month will be disregarded in determining need and result in no reduction of welfare payments. Excludes also incentive payments of \$30 per month authorized for recipients in the work-incentive program who are undergoing institutional or work-experience training. Grants a full earnings exemption to students who do not hold full-time jobs. Recipients in special work projects are guaranteed that the total of their wages together with their welfare payment will result in an increase in income equal to at least 20 percent of the wages which they are paid on the special work projects.

Provides an 80-percent Federal matching for the cost of the work-incentive program and a related day-care program. Provides for a "freeze" on the level of Federal participation in AFDC assistance where the parent is absent from the home. Provides for emergency assistance to dependent children. Authorizes funds for child welfare services and maternal and child health care, earmarking 6 percent of these funds for family planning services. Authorizes funds for demonstration programs and grants to colleges to train social workers.

INDEX TO TOPICAL HEADINGS

	Page		Page
AGRICULTURAL WORKERS:		CHILD LABOR—Continued	
California	22	New Mexico	83
Hawaii	38	New York	86
Indiana	49	North Carolina	90
Massachusetts	59	Ohio	92
Michigan	63	Oregon	97
New Mexico	83	Pennsylvania	101
Oregon	96	South Carolina	106
Pennsylvania	101	South Dakota	107
Wisconsin	118	United States	130
		Utah	111
APPRENTICESHIP:		Vermont	112
Arizona	21	Wisconsin	118
California	22		
Colorado	27	DAVIS-BACON ACT:	
Hawaii	39	United States	127
Illinois	44		
Massachusetts	60	DEBT POOLING:	
New York	86	Arkansas	21
Oregon	96	Connecticut	30
Rhode Island	104	Hawaii	39
South Carolina	105	Iowa	51
United States	124	Nebraska	72
West Virginia	117	Texas	109
Wisconsin	118	Washington	115
CHILD LABOR:		DISCRIMINATION IN	
California	24	EMPLOYMENT:	
Florida	36	California	24
Georgia	38	Connecticut	30
Hawaii	38	Idaho	42
Illinois	44	Illinois	45
Indiana	49	Indiana	49
Iowa	51	Kansas	52
Maine	53	Massachusetts	60
Maryland	54	Minnesota	65
Massachusetts	60	Nebraska	72
Michigan	63	Nevada	75
Minnesota	65	New York	86
Nebraska	72	Ohio	93
New Hampshire	77	Pennsylvania	101
New Jersey	80	Tennessee	108
		United States	129

	Page
DISCRIMINATION IN EMPLOYMENT—	
Continued	
West Virginia	117
Wisconsin	119
ECONOMIC OPPORTUNITY ACT:	
United States	129
EMERGENCY RELAXATIONS:	
Massachusetts	60
EMIGRANT AGENTS:	
Florida	37
Hawaii	40
EYE PROTECTION:	
Connecticut	33
Florida	37
Kansas	52
Minnesota	66
Tennessee	108
Wyoming	122
FAIR LABOR STANDARDS ACT:	
Arkansas	22
California	24
Connecticut	34
Indiana	50
New Mexico	85
North Carolina	90
Oregon	99
Vermont	114
FEDERAL GRANT PROGRAM:	
United States	124, 127, 128
FEDERAL-STATE RELATIONS:	
Arkansas	21
Illinois	47
New Jersey	82
Oklahoma	96
GOVERNMENT EMPLOYEE	
INTERCHANGE ACT:	
New Jersey	82
Oklahoma	96
HEALTH AND WELFARE FUNDS:	
Connecticut	32
New Hampshire	78
HOURS OF WORK:	
California	24
Colorado	27
Connecticut	31
Illinois	45
Maryland	56
Massachusetts	60

	Page
HOURS OF WORK—Continued	
Michigan	63
Missouri	68
Nebraska	73
New Hampshire	77
New York	86
North Carolina	90
Oklahoma	94
Oregon	97
Puerto Rico	103
South Carolina	106
INDUSTRIAL RELATIONS—	
PRIVATE EMPLOYEES:	
Alaska	20
Connecticut	32
Hawaii	39
Illinois	45
Louisiana	52
Maine	53
Maryland	56
Nebraska	73
New Hampshire	77
New Mexico	83
New York	87
North Dakota	91
Ohio	93
Puerto Rico	103
Texas	109
United States	125
Vermont	112
Wisconsin	119
INDUSTRIAL RELATIONS—	
PUBLIC EMPLOYEES:	
Alabama	19
California	25
Connecticut	31
Florida	36
Hawaii	39
Iowa	51
Massachusetts	61
Minnesota	65
Missouri	68
Montana	70
Nebraska	73
New Jersey	80
New York	87
Pennsylvania	101
Rhode Island	104
Texas	109
Vermont	112
Washington	115
Wisconsin	119

	Page
LIE DETECTION:	
Arkansas	22
Connecticut	31
Florida	38
Illinois	49
Nevada	77

MIDWEST NUCLEAR COMPACT:	
Illinois	46

MIGRATORY WORKERS:	
California	25
Iowa	51
Massachusetts	61
New Jersey	80
New Mexico	83
New York	88
Oregon	97
United States	130
Wisconsin	119

NEW ENGLAND COMPACT ON RADIOLOGICAL HEALTH PROTECTION:	
Maine	53
Massachusetts	61
New Hampshire	77
Rhode Island	105
Vermont	113

OCCUPATIONAL DISEASES:	
Alabama	19
Colorado	29
Idaho	44
Illinois	48
Indiana	50
Kansas	52
Maine	55
Maryland	58
Missouri	70
Montana	71
Nevada	77
New Hampshire	79
New Mexico	85
North Dakota	91
Ohio	94
Oregon	98
Utah	112
Vermont	114
West Virginia	118
Wyoming	123

	Page
OCCUPATIONAL SAFETY AND HEALTH:	
Alaska	20
Arkansas	21
California	25
Colorado	28
Connecticut	32
Florida	37
Hawaii	40
Idaho	42
Illinois	46
Kansas	52
Maine	53
Maryland	56
Massachusetts	61
Michigan	63
Minnesota	66
Missouri	69
Montana	71
Nevada	75
New Hampshire	77
New Mexico	85
New York	88
Ohio	93
Oregon	97
Puerto Rico	103
Rhode Island	105
South Carolina	106
South Dakota	107
Tennessee	108
Texas	110
Utah	111
Vermont	113
Washington	116
Wisconsin	119
Wyoming	122

OLDER WORKERS:	
California	26
Connecticut	33
Illinois	47
Massachusetts	61
United States	129

PRIVATE EMPLOYMENT AGENCIES:	
California	26
Colorado	28
Florida	37
Hawaii	40
Illinois	47
Massachusetts	62
Minnesota	66
New Jersey	80
New York	88

	Page
PRIVATE EMPLOYMENT AGENCIES—	
<i>Continued</i>	
Oklahoma	94
West Virginia	117

RADIATION:

Alabama	19
Arkansas	21
Colorado	28
Connecticut	33
Hawaii	40
Idaho	42
Illinois	46
Maine	53
Maryland	56
Massachusetts	61
Montana	70
North Dakota	91
Puerto Rico	103
Rhode Island	105
South Carolina	106
South Dakota	107
Utah	111
Vermont	113
Washington	116
Wisconsin	120
Wyoming	123

REHABILITATION:

Alaska	20
Connecticut	35
Minnesota	67
Ohio	94
United States	126

SCHOOL ATTENDANCE:

California	24
Florida	36
Georgia	38
Illinois	44
Minnesota	65
New Jersey	80
New Mexico	83
South Carolina	106
United States	131
Utah	112
Wisconsin	118

SOCIAL SECURITY ACT:

Minnesota	67
United States	131

SOUTHERN INTERSTATE NUCLEAR COMPACT:

Arkansas	21
----------------	----

STATE DEPARTMENT OF LABOR:

Arkansas	21
California	26
Colorado	28
Hawaii	40
Illinois	47
Maryland	56
Massachusetts	62
Michigan	63
Minnesota	66
Missouri	69
Nevada	76
New Jersey	81
Oklahoma	95
Oregon	97
Puerto Rico	103
Rhode Island	105
South Carolina	107
Texas	110
Vermont	113
Washington	116
Wisconsin	119

STATUS OF WOMEN:

Illinois	49
Massachusetts	63
North Carolina	91

STUDIES AUTHORIZED:

Alaska	20
California	26
Georgia	38
Hawaii	38, 42
Illinois	46, 48, 49
Massachusetts	63
Montana	71
New Jersey	80, 82
New York	88
North Carolina	91
Ohio	93
Oklahoma	94, 95
Utah	112
Washington	116
Wyoming	122

SUBSEQUENT INJURIES:

Connecticut	35
Nebraska	74
Oklahoma	95
Wisconsin	121

TEMPORARY DISABILITY

INSURANCE:

New Jersey	82
------------------	----

	Page
TRAINING AND RETRAINING:	
Alaska	20
California	26
Colorado	28
Hawaii	40
Illinois	48
New Jersey	81
New York	88
Oregon	97
Pennsylvania	101
United States	129
Wisconsin	120

VETERANS' REEMPLOYMENT

RIGHTS:

Alaska	20
Minnesota	51
Iowa	67

WAGE PAYMENT AND

WAGE COLLECTION:

Alaska	20
Arkansas	22
California	27
Colorado	28
Connecticut	33
Hawaii	40
Idaho	43
Maryland	56
Montana	71
New Hampshire	78
New York	89
North Dakota	91
Oklahoma	95
Oregon	98
Puerto Rico	103
Tennessee	108
Utah	111
Washington	116
Wisconsin	120
Wyoming	122

WAGES—ASSIGNMENT OF WAGES:

Minnesota	67
New Jersey	81
Oregon	98

WAGES—EQUAL PAY:

Indiana	50
Nebraska	74
Nevada	76

WAGES—MISCELLANEOUS:

Connecticut	33
-------------------	----

	Page
WAGES—MISCELLANEOUS—Continued	
Indiana	50
Puerto Rico	104

WAGES—PREVAILING WAGES:

Connecticut	34
Hawaii	41
Illinois	48
Maine	54
Massachusetts	62
New York	89
Ohio	93
Oregon	98
United States	127
Washington	117
Wisconsin	120
Wyoming	122

WAGES—PUBLIC WORKS:

Connecticut	34
Maryland	57
New York	89
Ohio	93
Washington	117
Wyoming	123

WAGES—WAGE GARNISHMENT:

Connecticut	34
Hawaii	41
Illinois	48
Maine	53
New Hampshire	78
Ohio	93
Oregon	98
South Carolina	107
Tennessee	108

WAGES AND HOURS—

ALL WORKERS:

California	27
Connecticut	34
Delaware	36
Hawaii	41
Idaho	43
Indiana	50
Maine	54
Maryland	57
Massachusetts	62
Nebraska	74
Nevada	76
New Hampshire	78
New Jersey	81
New Mexico	84
New York	89

	Page
WAGES AND HOURS—ALL WORKERS— <i>Continued</i>	
Oregon	98
Pennsylvania	101
Puerto Rico	104
Rhode Island	105
Texas	110
Vermont	114
Washington	117
Wyoming	123

WAGES AND HOURS— WOMEN AND MINORS:	
Wisconsin	120

WORKMEN'S COMPENSATION:	
Alabama	19
Alaska	20
Arizona	21
California	27
Colorado	29
Connecticut	35
Florida	37
Georgia	38
Hawaii	41
Idaho	43
Illinois	48
Indiana	50
Iowa	51
Kansas	52
Maine	54
Maryland	57
Massachusetts	62
Michigan	64
Minnesota	67
Missouri	69
Montana	71
Nebraska	74
Nevada	76
New Hampshire	79
New Jersey	82
New Mexico	85
North Carolina	90
North Dakota	91
Ohio	94
Oklahoma	95
Oregon	99
Pennsylvania	102
Puerto Rico	104

WORKMEN'S COMPENSATION— <i>Continued</i>	Page
South Carolina	107
South Dakota	108
Tennessee	109
Texas	110
Utah	111
Vermont	114
West Virginia	118
Wisconsin	121
Wyoming	123

WORK RELEASE FOR PRISONERS:	
Oregon	100

UNITED STATES:	
Age Discrimination in Em- ployment	129
Air Quality Act	127
Appalachian Regional De- velopment Act and Public Works and Economic De- velopment Act	127
College Work Study Program	126
Commission on Civil Rights	129
Education Professions De- velopment Act	129
Economic Opportunity Act	124
Elementary and Secondary Education Amendments	131
Food Stamp Act	126
Higher Education Act	124
Urban Mass Transportation Act	128
Mental Health Act	124
Mental Retardation Amend- ments of 1967	128
Military Selective Service Act	124
Older Americans Act	125
Partnership for Health Amendments	128
Public Welfare Programs	124
Railway Labor Dispute	125
Social Security Act	124, 131
Veterans' Pension and Re- adjustment Assistance Act	125
Vocational Rehabilitation Amendments	126

